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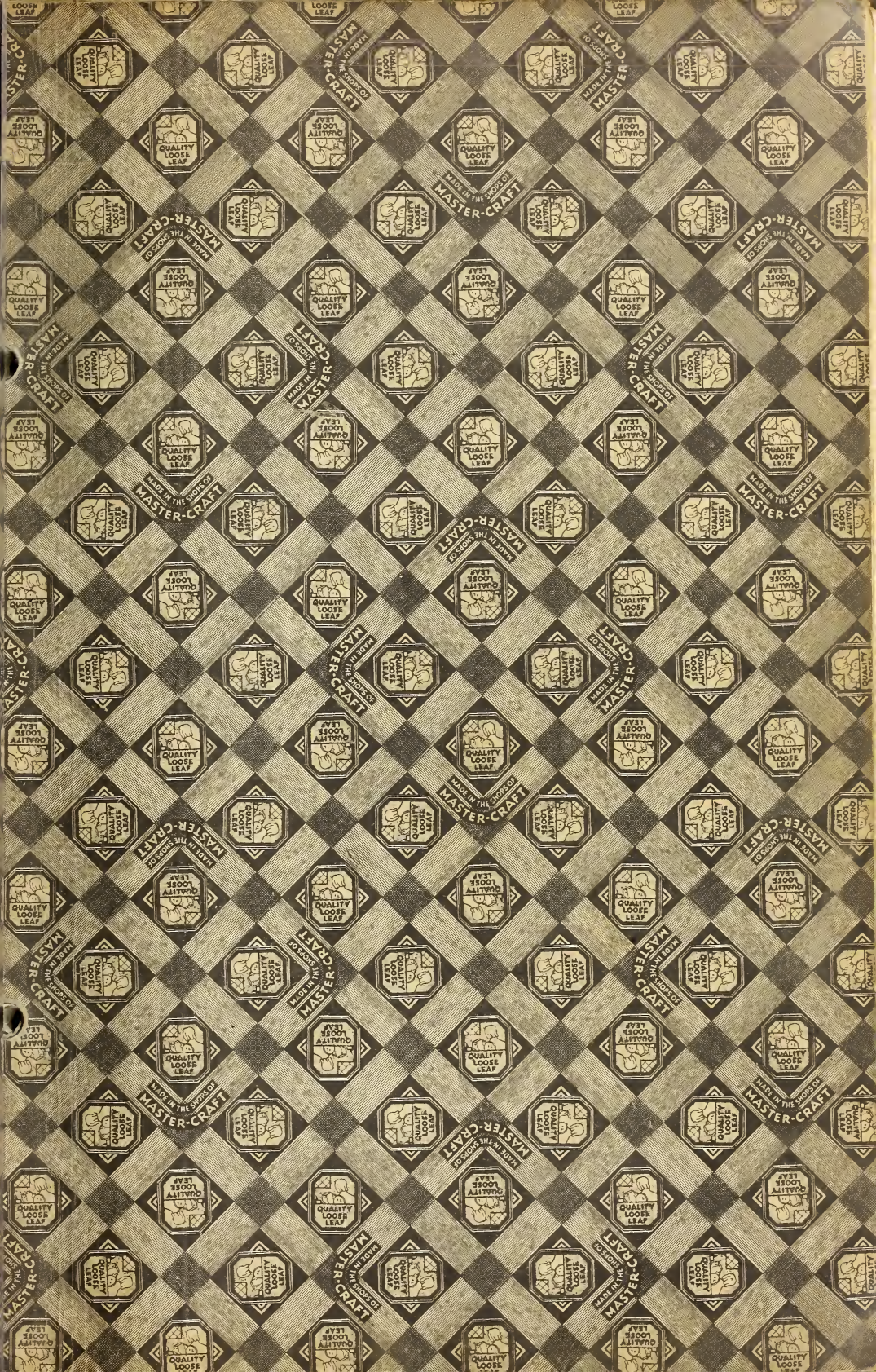


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1-248
1936-1947

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UNITED STATES DEPARTMENT OF AGRICULTURE
Office of the Secretary
Washington 25, D. C.

August 22, 1946

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Check List

Attached is a check list showing the pages which each volume of the Regulations should contain if it is up to date. The pages are identified by the number of the first regulation (or continuation) on each page and by the date of revision and amendment number appearing either in the lower right corner or on the back of the page.

Persons having copies of the Regulations should compare their volumes with the check list. If any pages are missing, they should be requested at once from the proper bureau officials. It is important that the Regulations be kept up to date at all times.

John Thurston

John Thurston
Secretary, Administrative
Council

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740401

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

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REGULATIONS

of the

U. S. DEPARTMENT OF AGRICULTURE

Charles W. Parker
Acting Executive Officer
U. S. D. H. Library
Sanitary, Wash, D. C.

UNITED STATES DEPARTMENT OF AGRICULTURE
Washington 25, D. C.

November 29, 1943

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Foreword

1. Authority. The Regulations of the United States Department of Agriculture are issued pursuant to Revised Statutes, Section 161 (derived from an Act of July 27, 1789, and other acts establishing the executive Departments), which provides that:

"The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it." (18)

The present volume was issued July 1, 1936.

2. Responsibility for Maintenance. The Executive Secretary to the Administrative Council, Office of the Secretary, is responsible for seeing that the Regulations are kept current and in good order. Each staff office will prepare needed amendments to regulations for which it is primarily responsible. Proposed additions or amendments will be submitted for concurrence or recommendation of all staff offices concerned with the subject matter involved.

It is desirable also that bureaus recommend changes which their operations indicate are advisable.

3. Amendments.

a. Effective Date. The date on which a new or revised regulation was approved, together with the amendment number, will be shown at the bottom of the page. Signatures will not be shown. Unless a different effective date is shown, the regulation will be effective immediately.

b. Marking System.

(1) Additions or revisions in the text will be marked by single asterisks (*) at the beginning and at the close of each addition or revision. In other words, any new or revised material will be inclosed between two single asterisks.

(2) When material is deleted, the deletion will be marked by triple asterisks (***).

c. Explanatory Notes. Since the asterisk markings will make clear what changes have been made by an amendment, explanatory notes usually will not be necessary. When an explanatory note is needed, it will be issued in the form of a cover sheet.

d. Printing on Both Sides. When an amendment requires more than one page, it will be printed on both sides of the sheet.

e. Recording Amendments. As they are received, amendments should be recorded by amendment number on the pages provided for this purpose.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Foreword (cont.)

4. Citations. Numbers in parentheses, e.g. (18) in Paragraph 1 of this Foreword, refer to paragraphs in Laws Applicable to the United States Department of Agriculture, 1935 edition and 1941 supplement.

5. Index and Table of Contents. Supplements to the Index and Table of Contents will be issued from time to time.

6. Distribution. Regulations and amendments will be supplied by the Executive Secretary to the Administrative Council, but only to one central distribution point in each bureau. Requisitions are not required unless binders are to be supplied. If empty binders only are wanted, the requisition should be sent to Central Supply Division, otherwise to the Administrative Council. Form AD-14 should be used.

7. Memoranda and Circulars. Departmental and staff office memoranda and circulars which relate to the Regulations are to carry cross references to the specific regulations concerned. The number of each such memorandum or circular should be noted immediately after the regulation to which it relates.

Marvin Jones

War Food Administrator

Clyde B. Wickard

Secretary

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METHOD OF NUMBERING PARTS, SECTIONS, CHAPTERS, AND PARAGRAPHS

The method of arranging and numbering the subjects in these Regulations is based upon the Dewey Decimal System of Library Classification devised by Mr. Melville Dewey. This system divides the Regulations into four parts: Administrative, 1; Personnel, 2; Fiscal, 3; Property, 4. This number is the first digit of the four-digit number used to identify each paragraph.

These four parts in turn are divided into sections, the number varying with each part but in no case exceeding nine. The first part, on Administration, is divided into 8 sections; the second part, on Personnel, into 8 sections; the third part, on Fiscal matters, into 4 sections; and the fourth part, on Property, into 4 sections. These sections are indicated by the second digit in the four-digit number.

Sections, in turn, are divided into chapters, running from 1 to 9. These chapter numbers are the third digits in the four-digit number.

Chapters are divided into paragraphs, the number of which varies but in no case exceeds 9.

This arrangement has numerous advantages. It is possible to add any number of amendments anywhere in the Regulations without destroying the numbering of the remainder of the volume. Each amendment may be placed exactly where it logically should be located. The subject determines the exact location; for example: 4123 indicates that it is in the fourth part, on Property; the first section, on Acquisition of Property; the second chapter, on Exchange; and the third paragraph, on Exchange of Passenger-carrying Vehicles.

It is believed that this system will prove to be logical, simple, and flexible.

THE HISTORY OF THE
CITY OF BOSTON

FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME
BY
JOSEPH NEALE

IN TWO VOLUMES.
VOL. I.
FROM THE FIRST SETTLEMENT
TO THE YEAR 1700.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

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UNITED STATES DEPARTMENT OF AGRICULTURE

Washington 25, D. C.

November 29, 1944

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Supplements to Table of Contents and Index

Attached are supplements to the Table of Contents and Index to the Regulations of the Department, covering all changes which have occurred since the Table of Contents and Index dated July 1, 1943, were issued. It is suggested that these supplements be filed behind the Table of Contents and the Index, respectively. This will mean that users of the Regulations will occasionally have to search in two places in order to find what they are looking for, but we have not felt justified in reprinting the entire Table of Contents and Index at this time.

John Thurston

Acting Secretary to the
Administrative Council

Attachments

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

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FUNCTIONS

1111. Agencies of the Department.- The Department of Agriculture was created by Act of Congress approved May 15, 1862 (12 Stat., 387). Until 1889 it was administered by a Commissioner of Agriculture.

By Act of February 9, 1889 (25 Stat., 659), the powers and duties of the Department were enlarged. It was made the eighth executive department in the Federal Government, and the Commissioner became the Secretary of Agriculture.

The work of the Department is supervised and directed by the Secretary, who is assisted by an Under Secretary and an Assistant Secretary. There is also a general administrative staff, consisting of a Director of Research, Director of Extension Work, Director of Information, Director of Personnel, Director of Finance, and Solicitor who help to coordinate the various activities of the Department.

The Director of Research cooperates with bureau chiefs and other officials of the Department in the development and coordination of the research programs and policies of the entire Department. The work of the Department in specialized research for more or less well defined practical objects and the fundamental research for the discovery of basic facts and principles are both reviewed by him, and he cooperates with bureau chiefs and other officials for the purpose of utilizing the facilities of the research work of the several bureaus. A part of his duties consists of administration of the Federal Acts relating to work of the State and Territorial experiment stations. In this connection one of his functions is to assist in coordination of research among the State experiment stations and the work of these stations with similar work of the Department.

CHAPTER I

The first of the most important principles of the theory of the mind is that the mind is a faculty of the soul, and not a substance. The second principle is that the mind is a faculty of the soul, and not a substance. The third principle is that the mind is a faculty of the soul, and not a substance.

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Functions

The Director of Extension Work is charged with the responsibility of making available through the State colleges of agriculture economic and scientific information applicable to local conditions. It is his duty to formulate and establish plans and policies concerning extension work. He is required to coordinate the extension activities of the several bureaus of the Department, of the other departments of the Government, and of the State colleges. He has charge of the administration of the extension work of the Department and is consulted by and advises bureau chiefs with reference to appointments of extension workers.

The Director of Information has charge of the information work of the Department. He coordinates the information policies and activities (1) of the several bureaus of the Department, both in Washington and in the field, and (2) of those of the Department with those of other Federal and State agencies engaged in agricultural work. He advises with bureau chiefs in the development and execution of publishing and general information programs, both popular and technical in character, and determines the issuance of information. It is his function to establish information policies including those involved in scientific, administrative, and popular publications, in radio programs, in service to the press, and in addresses by principal officials.

The Director of Personnel is the chief personnel officer of the Department. He is the general agent and representative of the Secretary of Agriculture in personnel, salary classification, organization, in-service training, safety work, and related matters and exercises general oversight and supervision of personnel and related activities. He conducts the business of the Department with the Civil Service Commission and where personnel matters are concerned with other agencies.

CHAPTER I

The first part of the book is devoted to a general survey of the subject. It begins with a definition of the term "philosophy" and then proceeds to a discussion of the various branches of the subject. The author then discusses the history of philosophy, from the ancient Greeks to the modern era. He then discusses the various methods of philosophy, from the deductive method to the inductive method. Finally, he discusses the various schools of thought in philosophy, from the Stoics to the moderns.

The second part of the book is devoted to a detailed discussion of the various branches of philosophy. It begins with a discussion of metaphysics, which is the study of the nature of reality. It then discusses epistemology, which is the study of knowledge. Next, it discusses ethics, which is the study of morality. Finally, it discusses politics, which is the study of the organization of society.

The third part of the book is devoted to a discussion of the various schools of thought in philosophy. It begins with a discussion of the ancient Greeks, who were the first to develop a systematic philosophy. It then discusses the medieval philosophers, who were influenced by the teachings of the Church. Next, it discusses the modern philosophers, who were influenced by the scientific revolution. Finally, it discusses the contemporary philosophers, who are still developing the subject.

Functions

The Director of Finance and Budget Officer is vested with full responsibility for the financial affairs of the Department, including the acquisition, distribution, expenditure, audit, and accounting of all funds at the disposal of the Department, whether appropriated, transferred, or otherwise acquired; the initiation, review, approval, or alteration of systems, methods, procedures, policies, and regulations pertaining to the management of the fiscal affairs of the entire Department, including the Field Service; the representation of the Department before the Budget Bureau, Treasury Department, General Accounting Office, both houses of Congress, and any other federal or non-federal agency in the conduct of the financial business of the Department; the general management and coordination of procurement activities of the several bureaus and offices of the Department, including systems of transfer, inventory, use and disposition of expendable and non-expendable property; the conduct of such other affairs not herein described which comes under the jurisdiction of the Office of Budget and Finance; and the rendering of special or regular reports as required.

The legal work of the Department of Agriculture is performed under the supervision and direction of the Solicitor. The Solicitor acts as the legal adviser to the Secretary of Agriculture. He is charged with the preparation and supervision of all legal papers to which the Department is a party, and of all communications to the Department of Justice, and to the various officers thereof, including United States attorneys. He is required to examine and approve, in advance of issue, all orders and regulations promulgated by the Secretary under statutory authority. The Solicitor represents the Department in all legal proceedings arising under the various laws entrusted to the Department for execution. He also prosecutes applications of employees of the Department for patents in instances where their inventions may be used in the public interest.

The Chief of the Division of Operation is the custodian and has charge, for the Department, of the management of the buildings and other facilities occupied or used by the Department of Agriculture in the District of Columbia, the telephone and telegraph service, the mails and files and post office, the motor truck and other service units.

DEPARTMENT OF AGRICULTURE

WASHINGTON

May 13, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 60

The growth of the Department during the past few years has created a need for the realignment and restatement of functions which have gradually changed during that time, especially with regard to the executive staff office of Budget and Finance. To give full recognition to this development, there appears on the reverse side of this sheet a change in the regulations of the Department as follows:

Substitute the statement on the reverse of this sheet for the eighth part of paragraph llll. Agencies of the Department.

H. A. Wallace

Secretary.

Functions

He is also the real estate officer of the Department and acts as the personnel and administrative officer for the internal operation of the Office of the Secretary.

In addition to these administrative units, the Department contains the following bureaus, each of which is supervised by a chief who reports directly to the Secretary:

1. Agricultural Adjustment Administration
2. Bureau of Agricultural Economics
3. Bureau of Agricultural Engineering
4. Bureau of Animal Industry
5. Bureau of Biological Survey
6. Bureau of Chemistry and Soils
7. Bureau of Dairy Industry
8. Bureau of Entomology & Plant Quarantine
9. Office of Experiment Stations
10. Food and Drug Administration
11. Forest Service
12. Grain Futures Administration
13. Bureau of Home Economics
14. Library
15. Bureau of Plant Industry
16. Bureau of Public Roads
17. Soil Conservation Service
18. Weather Bureau

A "chief of bureau" is the administrative head of each bureau or office.

For administrative purposes the separate units within a bureau or comparable unit in the District of Columbia, the heads of which report directly to the chief of bureau, are designated as "divisions."

In the discretion of chiefs of bureaus, where the organization arrangement permits, units within divisions, as designated above, are known as "sections". (See also Paragraph 2312.)

CHAPTER I

THE first object of this work is to show that the principles of geometry are not arbitrary, but are founded on the nature of things. It is not a science of mere definitions and axioms, but a science of the real world. The principles of geometry are not arbitrary, but are founded on the nature of things.

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Functions

Each chief of bureau is responsible for the operation of his bureau, both in Washington and in the field, and shall maintain such contact with the field organization as may be necessary to insure proper administration and coordination of the work.

The division of investigations, office of personnel, is authorized to make periodical inspections of field offices and stations of the Department. All employees will cooperate with the investigators to the extent of giving such information as may be requested and of permitting free access to books, records, and other documents.

Reports of such inspections will be referred to chiefs of bureaus or offices concerned for consideration and appropriate action. In cases where reports reveal misconduct on the part of employees, fiscal or other irregularities, inefficiency, lack of proper records, or other delinquencies of a serious nature, the Secretary shall be advised in writing of the action which has been or will be taken by the chief of bureau to correct the situation and prevent similar occurrences in the future. Where disciplinary action is warranted, appropriate recommendations shall be submitted promptly. (128, 129, 131)*

* Numbers in parentheses refer to sections of Laws Applicable.

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1877. The names are given in alphabetical order, and the names of the persons who have been elected to the office of Justice of the Peace for the year 1877 are given in alphabetical order.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Functions

1112. * Changes in Regional, State, or Other Field Offices or in Administrative Areas.

1. In order to facilitate coordination of field operations of the Department, field offices serving the same general geographical area, such as the same region, State, or county, should, whenever feasible, be located in the same city or town. As a general rule, county office should be located at the county seat.

2. Prior approval must be obtained for the establishment, consolidation, change in location, or abolition of (a) any field office (other than temporary offices) serving one or more States, or other major field office, or (b) any regional or other administrative area which includes two or more States or which cuts across a State line, (other than temporary administrative areas and National Forests and their subdivisions).

3. Proposed actions shall be submitted to the Chairman of the Administrative Council (original and five carbons), together with an explanation in detail of the nature of and the reasons for the proposed action and, in the case of field offices, giving the approximate number of positions involved. Such proposals will be considered by the Administrative Council, and shall be approved by the Chairman of the Council or referred by him to the Secretary. No public announcement of such proposals and no commitments shall be made prior to approval. Bureaus should discuss contemplated changes with the Chairman of the Administrative Council at an early stage in order to ascertain Departmental considerations which may be applicable. *

1113. Delegation of Authority. Chiefs of bureaus are granted authority to authorize any legal and proper activity or expense the authorization of which is not reserved by law or regulation to the Secretary or other officer. This is a general grant of authority in addition to specific grants given elsewhere in laws, orders, or regulations, to provide sufficient authority for chiefs of bureaus to carry out their responsibilities.

1114. Regulations; Memoranda; General Departmental Circulars.
(Canceled 8-9-45)

Revised 4-25-47 (Amendment 240)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Seal

1122. Official Seal of the Department

1. The official seal of the Department of Agriculture shall be in the custody of the * Chief, Secretary's Records Section, Communications Division, Office of Plant and Operations, who shall be responsible for the safeguarding and proper use of the seal.* No employee of the Department shall affix this seal to any document nor shall any employee reproduce the imprint of the seal without specific authority of that officer.

2. Requests for the affixing of the seal to documents shall be submitted in writing to the * Chief, Secretary's Records Section * by chiefs of bureaus or other responsible administrative officers designated by chiefs of bureaus.

3. The official seal shall be used only to verify completed official documents; it shall not be affixed to blank or incomplete documents.
(130)

Revised 6-30-45 (Amendment 207)

THE UNIVERSITY OF CHICAGO
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GENERAL PRINCIPLES

1211. Correlation of Department Information.-

To correlate information arising in different bureaus, and to make it more effective, the director of information shall have general charge of all informational work of the Department. He shall supervise the issuance of publications, press releases, and radio releases to meet the current needs of farmers, homemakers, and other groups. Often releases will be prepared on a commodity basis and will of necessity deal with the work of several bureaus. Chiefs of bureaus should cooperate in supplying facts necessary to make commodity releases reflect the programs of the Department as a whole. This will require prompt attention to requests for information if the Department is to meet the needs of those it is expected to serve.

The director of information is authorized to cooperate with bureau chiefs in coordinating all phases of the Department's work that affect the informational programs and will keep policies and procedures responsive to current needs. He shall allocate printing funds and otherwise manage the Department's informational work in a way most effectively to fulfill the Department's obligations to the public.

1212. Cooperation with State Extension Editors.- The director of information will coordinate the informational programs of the Department with those of the States. This will necessitate clearing much of the Department's information through State editorial offices, so that it may be adapted to local conditions. Publications and releases to newspapers and radio stations should be regionalized as far as possible.

1213. Field Information.- Field officers of the Department, subject to their bureau regulations, are authorized to give out information under the following categories: (1) Progress reports

General Principles

which have only a local interest; (2) Reports of regulatory work; and (3) Market quotations and weather forecasts. All statements of a policy nature and reports of important developments of regional or national importance must be submitted to Washington for release. To insure that field information is sent only to publications desiring it, mailing lists must be revised at least once every six months.

All members of the Department, especially field employees, should call to the attention of their bureau chiefs significant developments, problems, and special needs for information from the Department. These reports should be transmitted to the director of information for his guidance in shaping informational programs of the Department to meet the needs of agricultural and other groups.

1214. Compensation for Articles and Speeches.-- Articles prepared officially are the property of the Government. Authors must not accept payment for official articles published in outside journals, magazines, or newspapers. Articles prepared outside of office hours may be sold subject to the restrictions on outside work. (See also Paragraph 1548.)

Employees may not accept honoraria for addresses delivered as part of their official duties. Employees may accept honoraria for addresses delivered on their own time, provided the Department has not incurred any additional expense for travel or subsistence while the speaker is away from his official duties.

1215. Endorsement of Commercial Products.-- Information developed by the Department is available to everyone, but naturally the Department wishes to guard against the misuse of such information. All employees should exercise caution in

General Principles

making statements that may be used in promoting commercial products or enterprises including those tested or tried out in laboratory or field tests. There is no objection to giving the facts or to supplying illustrations upon request but this must be done with the strict understanding that no effort will be made by the company to show in advertising or otherwise, either directly or by implication, that the Department endorses the product in question.

Employees shall not allow the use of their names as endorsers of commercial products.

1216. Distribution of Photographs.- When it is established that departmental photographs are to be used in the public interest, such photographs may be furnished free to co-operators, publishers of newspapers, magazines, etc., but they should be sold in all other instances. As a general rule only one print of each photograph should be furnished without charge, but in exceptional cases a limited number of prints from a single negative may be given to co-operators, publishers of newspapers, magazines, etc. In most instances all photographic items, other than glossy prints for reproduction purposes, shall be offered only on a sales basis. Extreme care should always be exercised in granting requests for free prints. (See also Regulations 4425 and 4427)

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 15, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 85.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, which has been designated as regulation 1216, and entitled "Distribution of Photographs." Such an addition appears desirable from a departmental standpoint in that it establishes a general procedure for the distribution of photographs.

The provisions of the regulation are promulgated effective immediately.

The following additions should be made to the Table of Contents and to the Index:

Table of Contents:

Add: "1216. Distribution of
Photographs"

Index:

Add: "Photographs, distribution
of - - - - - 1216"

H. Wallace

Secretary.

INTERVIEWS AND PRESS RELEASES

1221. Current Information.- To provide the interested public with information coming from Department work at a time when it will be most useful it is often necessary to release such information through the press and through radio stations. The Press Service is the official medium through which material prepared in popular form is released to all branches of the press. The Radio Service is the medium through which material is released to radio broadcasting stations and networks. It shall be the duty of every bureau of the Department to furnish information to members of the press service and radio service for timely dissemination to the public. All releases, talks, or interviews issued by either of these agencies shall be approved by the chief of the bureau concerned or by someone designated to represent him.

Representatives of the bureaus will be responsible for the accuracy of the statements in releases. Chiefs of the press service and radio service will be responsible for choosing the most effective method of presenting the facts and for distribution of releases. The director of information will adjust any differences of opinion that may arise and will, when necessary, submit releases involving fundamental policy to the Secretary for approval. Each bureau shall cooperate fully with the Office of Information.

Because of the importance of photographs, charts, maps and other illustrative materials in the press such items shall be regarded as a part of the Department's information service and shall be handled in essentially the same manner as press material. Bureaus shall cooperate with the press service in furnishing suitable illustrations.

Interviews and Press Releases

1222. Interviews.- Representatives of newspapers, magazines, and radio stations and networks often wish to obtain, by interview, information direct from specialists or officials who are best qualified to supply accurate details: such informal interviews are encouraged, subject to the following requirements, designed to avoid embarrassing the Department:

(a) If Department policy or the work of more than one bureau is involved the employee will be responsible for having the material properly approved.

(b) If the material in no way involves Department policy or the work of more than one bureau, the rules and regulations of the originating bureau will govern.

(c) To guarantee that all media have an equal opportunity to obtain information regarding new significant developments in all phases of the Department's work and especially to obtain previously unpublished results of scientific research and economic studies, such material shall be issued only through regular Department channels or, with official approval, in a suitable outside periodical.

(d) Employees of the Department should not discuss, in informal interviews, topics such as political and budgetary matters which under existing laws or regulations could not be announced in official releases.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

ADDRESSES, LECTURES, AND SPEECHES

1231. Prior Approval Required.

1. Any regularly scheduled address or radio talk that involves policies of the Department or the work of two or more bureaus, or of other departments, must be approved by the Director of Information prior to delivery. One copy of each address or speech will be sent to the Office of Information for reference and filing. (See also Regulation 1232.)

2. * Members of the Department may take part, in their official capacities, in commercially sponsored broadcasts only when properly authorized. Broadcasts over national networks must be authorized in advance by the Director of Information; or, in the case of broadcasts over individual stations or regional networks, by the proper administrative officer of the agency concerned, under rules prescribed by the Director of Information. Emergency broadcasts, such as forest fire warnings, may be made without advance approval. *

1232. Lectures.

1. No employee of the Department shall become a member of the faculty of any educational institution or deliver a regular course of lectures at such an institution, without the approval of the Secretary secured through the chief of the bureau in which such employee is engaged.

2. Employees invited to deliver lectures or address meetings for which service they will receive compensation in the form of honoraria or traveling expenses or both must do so as private persons, although entitled to use their official titles. It is the policy of the Department to have such work done on an official or private basis but not both. If the lecture or address is made in an official capacity, the Department will pay the traveling expenses but if the lecture or address is made in a private capacity the Department will not pay any additional expenses in connection with it. (80, 81) (See also Regulation 1512.)

RADIO BROADCASTS

1241. Contacts with Radio Broadcasting Companies.- All dealings with officials of radio broadcasting networks for the purpose of arranging for broadcasts of information arising from the work of the Department shall be made by the director of information, the chief of the radio service, or field employees designated by the director of information.

All dealings with officials of individual radio stations for the purpose of arranging for regularly scheduled broadcasts of information arising from the work of the Department shall be made by the director of information, chief of the radio service, or field employee designated by the director of information; except that field employees of the Bureau of Agricultural Economics and Weather Bureau shall arrange for broadcasts of market news and local weather forecasts with managers of stations in cities where these employees are located. To avoid conflicts between Department units for radio time, chiefs of these bureaus shall notify the director of information of schedules arranged. Employees may, of course, consistent with other regulations, accept invitations for participation in radio programs.

CHAPTER IV

The first part of the chapter is devoted to a discussion of the various methods of determining the rate of reaction. The second part is devoted to a discussion of the various factors which influence the rate of reaction. The third part is devoted to a discussion of the various factors which influence the equilibrium constant.

The first part of the chapter is devoted to a discussion of the various methods of determining the rate of reaction. The second part is devoted to a discussion of the various factors which influence the rate of reaction. The third part is devoted to a discussion of the various factors which influence the equilibrium constant.

MOTION PICTURES

1251. Preparation and Distribution of Motion Pictures.- The division of motion pictures, Extension Service, will make and distribute -- or supervise the making and distribution of all departmental motion pictures. All projects for motion pictures to be made by or for any bureau of the Department shall be submitted on forms prescribed for the purpose to the director of extension work.

In order to promote economy and efficiency, and to develop an effective motion picture program, the following rules will be strictly observed:

(a) Once a year not later than January 15, each bureau chief will submit to the director of extension work a statement of the subject matter or problems with which the bureau is concerned that would be most important to place before the public during the year.

(b) On the basis of these statements, the director of extension or his representative in consultation with representatives of the bureaus will prepare a production program.

(c) Subjects or problems not included in this program may be submitted as they arise, but careful consideration should be given to the relative importance of the subject matter so that only worthwhile projects are proposed.

(d) Except in emergencies, no motion picture will be made until a definite and complete outline has been submitted and approved. Time should be allowed for the preparation of the scenario, its submission for the criticism of all concerned, and its approval by the director of extension work.

(e) All bureaus are expected to cooperate in furnishing subject matter supervision when requested, for any motion picture touching upon its activities

Motion Pictures

that has been accepted for production, although the picture may be sponsored by another agency.

(f) A subject matter specialist, responsible for the accuracy of the subject matter, should be designated to work with the motion picture director whenever practicable. The motion picture director shall be responsible for the presentation of the subject matter in motion picture form. In the matter of cinematography, the opinion of the photographer as to the feasibility of taking the subject, proper lighting, etc., shall be final.

(g) So far as practicable, scenes not essentially related to a special region should be staged in or near the District of Columbia.

(h) Films should, whenever practicable, be nonsectional and nontechnical, so that they will be adapted for wide distribution and if possible be of service to the entire Department.

(i) Copies of films may be loaned, rented, or sold if the interests of the Department are furthered by doing so. In making such loans, rentals, or sales, educational institutions and associations for agricultural education not organized for profit shall have preference. When deemed advisable, the Department may manufacture positive film for non-governmental agencies with the film stock and chemicals supplied by the purchaser, and sell the finished product for a price to cover actual cost of manufacture plus 10 percent. All moneys received from such rentals or sales shall be covered into the Treasury of the United States as Miscellaneous Receipts.

(j) When deemed advisable, the Department may, under proper safeguards, arrange to place its negatives in the custody of a commercial motion-picture company for the printing of positive films for the use of the Department or to be sold to authorized purchasers at a fair price per foot of positive film.

Chapter 10. The History of the United States from 1789 to 1865.

The first section of the chapter discusses the early years of the new nation, from 1789 to 1800. It covers the establishment of the federal government, the early years of the Republic, and the challenges faced by the young nation.

The second section of the chapter discusses the years from 1800 to 1820. It covers the expansion of the United States, the growth of the economy, and the development of the nation's culture.

The third section of the chapter discusses the years from 1820 to 1840. It covers the westward expansion, the growth of the industrial revolution, and the increasing tensions between the North and the South.

The fourth section of the chapter discusses the years from 1840 to 1865. It covers the Civil War, the Reconstruction era, and the final years of the United States in the mid-19th century.

The fifth section of the chapter discusses the years from 1865 to 1890. It covers the Reconstruction era, the Gilded Age, and the early years of the 20th century.

Motion Pictures

(k) Motion-picture projection machines and motion-picture cameras may be purchased only with the approval of the director of extension work. Purchases of such equipment will be reported to the division of motion pictures, which will keep a record of the equipment available in the Department. When the original purpose for which the equipment is purchased has been served, such property shall be transferred to the division of motion pictures. The purpose of this regulation is to make motion-picture equipment available for loan as needed.

(l) All shipments of motion-picture film from the city of Washington shall be made from the motion picture laboratory; all incoming shipments should be consigned to the laboratory; all motion-picture cameras, projectors, film and other motion-picture equipment shall be held in the custody of the laboratory.

(m) Expenses for travel and subsistence in connection with the taking of all motion pictures will be borne as a general rule by the bureaus for which the pictures are made. Additional expense up to the total cost, will be borne by the bureaus for the making of pictures that have little or no value for extension purposes. (172)

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ORIGIN OF PUBLICATIONS

1311. Origin of Publications.— The general public does not benefit from research work done in the Department until results of this work are disseminated. Publications are an inexpensive method of getting these results to the people in a form that may be preserved for future reference. Ordinarily publications originate in the bureaus when a specific piece of work has been completed. At times, however, the need for certain publications becomes evident through requests from the public for information. When in the opinion of the director of information there is sufficient need for a publication not already available or the revision of an existing publication, he will confer with the proper bureau chief or chiefs as to the advisability of such preparation. If it is decided that a new publication is necessary the bureau chief or chiefs shall have it prepared within a reasonable time.

TYPES OF PUBLICATIONS

1321. Serial Publications.-- All bulletins, circulars, and reports of the Department except those listed in paragraph 1322 shall be included in the following six series, all but the last-mentioned of which must be of octavo size:

(a) Farmers' Bulletins.-- Farmers' bulletins should be concise, pertinent statements, in non-technical style regarding subjects of broad interest coming properly within the range of the Department activities. Recommendations and directions applicable in modern agricultural practices are especially desired. These bulletins should be short, preferably not more than 16 pages.

(b) Technical Bulletins.-- Technical bulletins should contain reports and results of research and experimentation, including variety and fertilizer tests, crop and milk yields, and breeding results; economic and other comprehensive surveys; and technical discussions or compilations (exclusive of purely statistical data and bibliographies). Ordinarily these will be intended primarily for specialists, research workers, teachers and advanced students engaged in the scientific phases of agriculture and related work or interested in the acquisition or dissemination of fundamental, technical information underlying the development of agriculture and related subjects.

(c) Statistical Bulletins.-- Statistical bulletins should contain statistics relating to agricultural commodities or conditions. They include, insofar as possible, statistics of production, movement from the farm, receipts at principal markets, reshipments, farm and market prices, exports and imports, production in foreign countries, and foreign market prices. In addition to the statistics for the year given in each bulletin, comparable data may be given for as many years in the past as it seems desirable to include for use in noting trends.

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Types of Publications

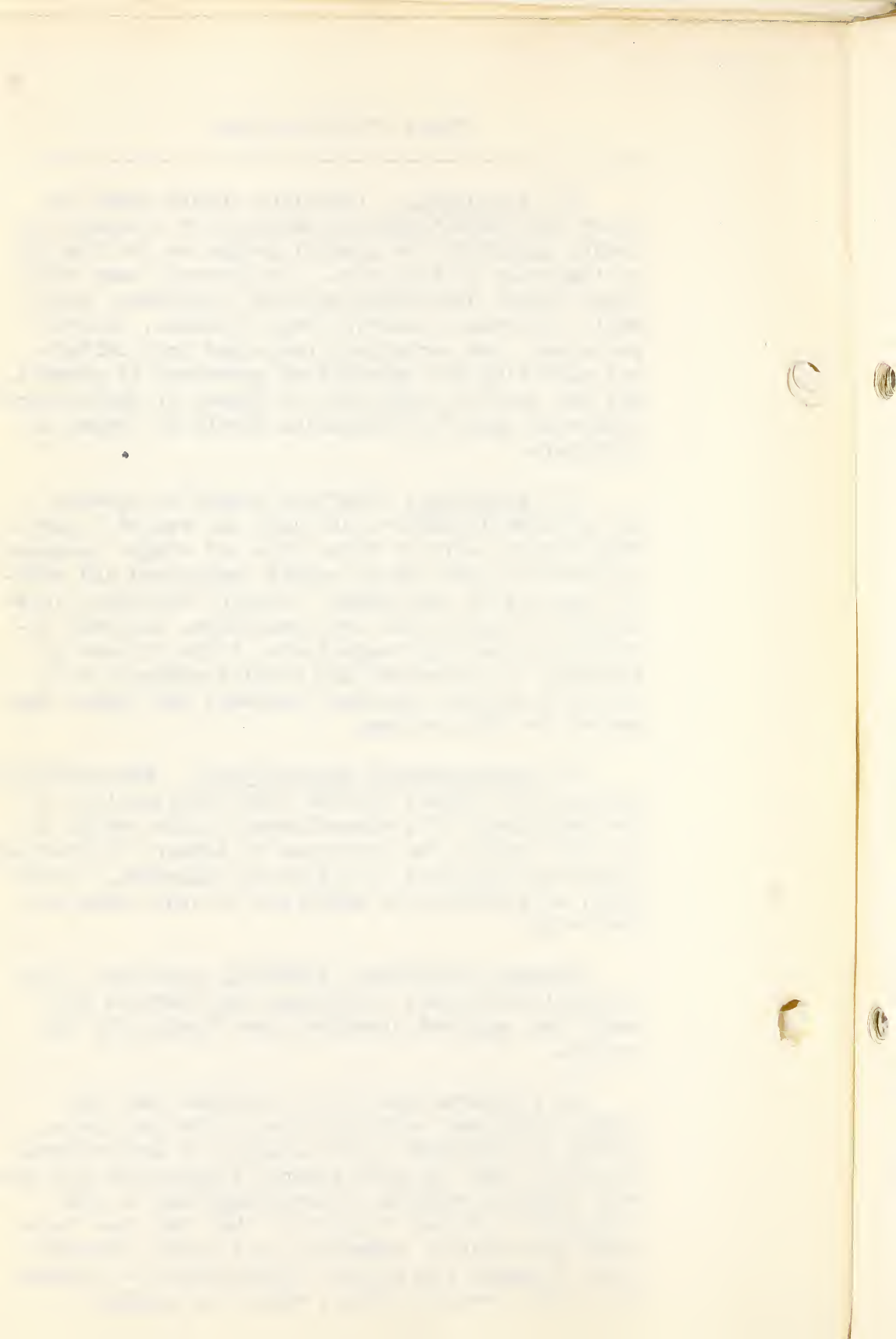
(d) Circulars.-- Circulars should carry in brief form semi-technical material of a nature intended primarily for special groups or for limited or temporary distribution. In general, semi-technical papers describing methods, apparatus, equipment, procedure, observations, diseases, insects, parasites, new varieties, crops and crop culture and marketing for specialized operators or growers, and any special conditions or phases of agriculture requiring specific discussion should be issued as circulars.

(e) Leaflets.-- Leaflets should be concise and popular in nature, and must not exceed 8 pages. They should carry in brief form and simple language information that can be easily understood and readily applied by the reader. Control measures, formulas for insecticides and fungicides, cultural directions, planting suggestions, hints on care or breeding of livestock, and similar subjects suitable for concise, popular treatment are topics suggested for this series.

(f) Miscellaneous Publications.-- Miscellaneous publications should include those publications of the Department of a miscellaneous nature which do not fall within the divisions of farmers' bulletins, technical bulletins, statistical bulletins, circulars, or leaflets, or which are of other than octavo size.

Farmers' bulletins, technical bulletins, statistical bulletins, circulars, and leaflets will carry the approved standard cover design for the series.

As a general rule it is intended that the highly technical contributions of limited scope should be published in the Journal of Agricultural Research; that the more general discussions and the more complete reports of investigations be published as technical bulletins; that the less technical discussions, summaries, and other contributions designed for special distribution be included in the circular series, while the popular



Types of Publications

condensed discussions for the use of the general public be included in farmers' bulletin and leaflet series.

1322. Publications other Than Department Series.- The following publications will not be included in the departmental series:

(a) The annual reports and other publications and reports required by statute;

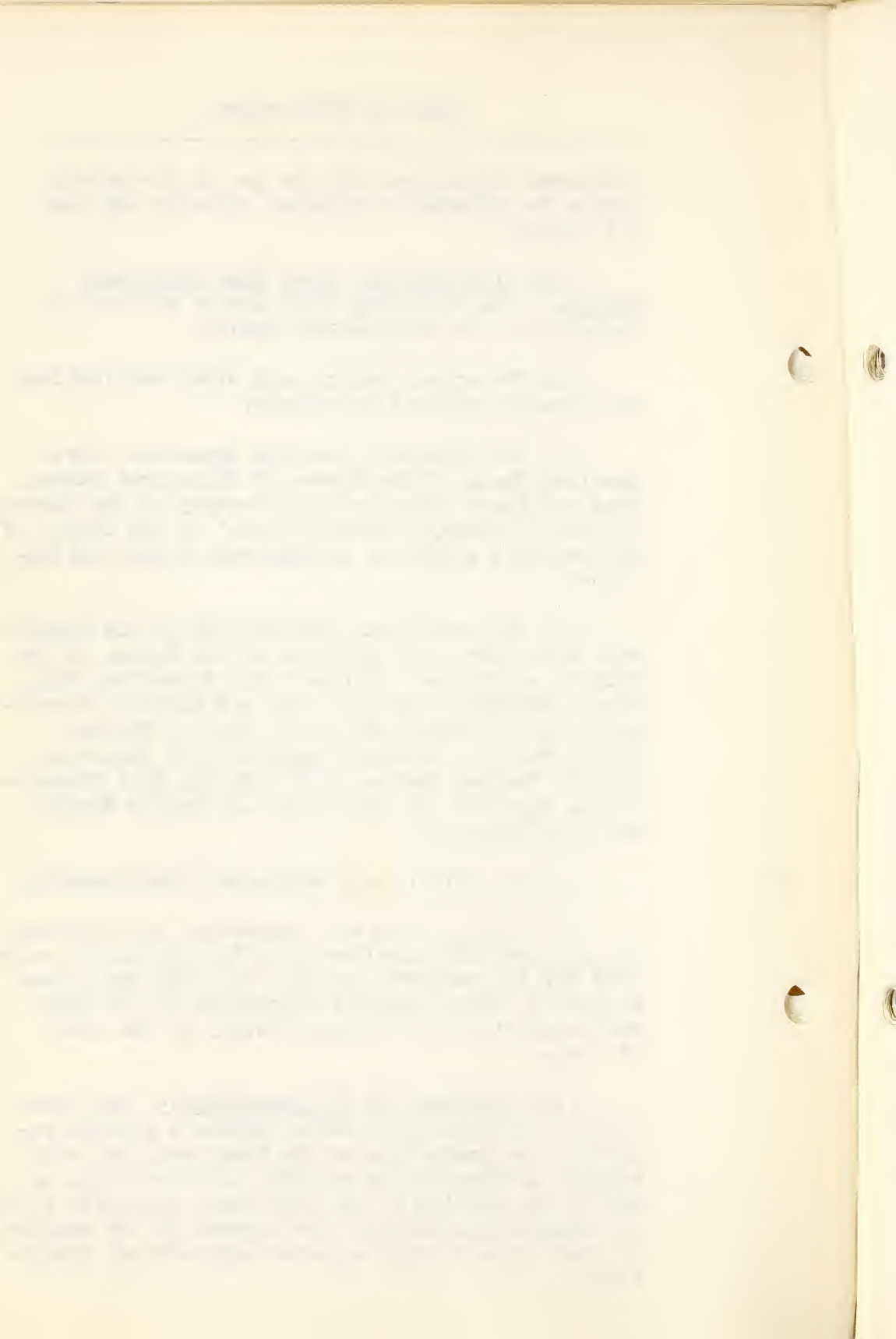
(b) the Yearbook, Yearbook Separates, North American Fauna of the Bureau of Biological Survey, Seed and Plant Introduction Inventory of the Bureau of Plant Industry, and the "lists" of the Office of Information, which are specialized serial publications;

(c) the periodical publications of the Department which have been approved by the Bureau of the Budget, as follows: Agricultural Situation, Clip Sheet, Consumer's Guide, Crops and Markets, Experiment Station Record, Extension Service Review, Forest Worker, Journal of Agricultural Research, Monthly Weather Review, Public Roads, Soil Conservation, Snow and Ice Bulletins, and Weekly Weather and Crop Bulletin;

(d) the Service and Regulatory Announcements;

(e) office circulars, unnumbered publications, and any specific circulars or publications not suitable for the numbered series. At least two copies of each of these should be forwarded to the document collection of the main library at the time of issue.

1323. Yearbook of the Department.- The Yearbook of the Department shall contain a general report of the operations of the Department and such papers, accompanied by suitable illustrations, as are in the opinion of the Secretary, specially suited to interest and instruct the farmers of the country. It shall also contain selected agricultural statistics.



Types of Publications

1324. Journal of Agricultural Research.-- Papers for the Journal of Agricultural Research shall be concise reports of the essential data and conclusions of original research of direct or indirect importance to agriculture. Historical introductions, as well as bibliographies, must be kept to a minimum. In general, an article should not be more than 12 printed pages in length.

1325. Service and Regulatory Announcements.-- Service and regulatory announcements shall contain such notices of judgment, decisions, and other information as may be necessary in the enforcement of regulatory acts. These announcements shall be printed in octavo size, bearing the name of the bureau, the number of the publication, the date of issue, and the words "Service and Regulatory Announcements." Service and regulatory announcements will be issued only as may be required to comply with the law. Issuance of Service and Regulatory Announcements will not supersede the publication, in other forms, of notices of judgment or quarantine, and decisions, orders, or other announcements requiring immediate publication or which are necessary for the proper enforcement of the regulatory acts. When individual publications are essential they will be printed in octavo size.

1326. Manuals and Handbooks.-- When it is proposed to publish a voluminous manual, handbook, bibliography, or treatise relating to any phase of the agricultural industry, the matter should be submitted to the director of information for his approval before actual preparation of the manuscript is undertaken. An outline should also be prepared for his information indicating in general terms the proposed treatment of the subject, the probable size of the publication, the number and character of illustrations, and such other information regarding its scope and purpose as will permit intelligent consideration of this matter.



Types of Publications

1327. Indexes and Reference Lists.- To facilitate the use of the publications of the Department, indexes and classified reference lists of all those that are considered desirable for reference purposes will be issued from time to time.

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PREPARATION OF PUBLICATIONS

1331. Character of Papers Submitted for Publication.- Bureau chiefs should submit for publication only such papers as have a definite value in the work of the Department. The director of information shall determine whether manuscripts submitted justify the expense of publication. He is authorized to disapprove manuscripts that can not be justified because of low quality, faulty organizations, excessive cost, duplication of material already published, infringement upon the work of other agencies, unsuitability of the material, or insufficient need for the proposed publication.

Manuscripts prepared by persons not connected with the Department will not be accepted for publication unless it can be clearly shown that their publication and distribution would be financially justified and a valuable contribution to the Department's program of work or in the public interest. The publication of these manuscripts must further be recommended by the chief of the bureau directly concerned before approval can be granted by the director of information.

1332. Preparation of Manuscripts.- To facilitate the publication of manuscripts and to effect economies in printing, the following instructions should be followed:

(a) Authors will prepare their manuscripts with the utmost care to avoid errors in data, statements, or conclusions; to include only essential matter; and to arrange the material in the form considered final by the authors. Authors should consult workers on related subjects in other bureaus before finally submitting their manuscripts for publication, and all differences of opinion should be settled in advance. A statement showing the workers in other bureaus who have been consulted shall be incorporated in the letter transmitting each manuscript to the director of information.

THE HISTORY OF THE UNITED STATES

The first part of the history of the United States is the period from the discovery of the continent by Christopher Columbus in 1492 to the establishment of the first permanent English colony in 1607. This period is characterized by the exploration of the continent by Spanish, French, and English explorers, and the establishment of the first permanent English colony in Jamestown, Virginia. The second part of the history is the period from 1607 to 1776, which is the period of the American Revolution. This period is characterized by the struggle for independence from British rule, and the establishment of the United States as a sovereign nation. The third part of the history is the period from 1776 to the present, which is the period of the development of the United States as a major world power. This period is characterized by the expansion of the United States across the continent, the Civil War, and the emergence of the United States as a superpower in the 20th century.

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The first part of the history of the United States is the period from the discovery of the continent by Christopher Columbus in 1492 to the establishment of the first permanent English colony in 1607. This period is characterized by the exploration of the continent by Spanish, French, and English explorers, and the establishment of the first permanent English colony in Jamestown, Virginia. The second part of the history is the period from 1607 to 1776, which is the period of the American Revolution. This period is characterized by the struggle for independence from British rule, and the establishment of the United States as a sovereign nation. The third part of the history is the period from 1776 to the present, which is the period of the development of the United States as a major world power. This period is characterized by the expansion of the United States across the continent, the Civil War, and the emergence of the United States as a superpower in the 20th century.

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Preparation of Publications

Either the author or the bureau editor may submit a manuscript informally to the director of information for suggestions and comment before it is edited and transmitted formally.

(b) After the author has carefully prepared his manuscript it must be submitted to the bureau editor for editing and checking. If major changes are made in the manuscript by the bureau editor, the author shall be given the opportunity to note such changes. Any points in controversy between the author and bureau editor should be decided by the bureau chief before the manuscript is sent to the Office of Information.

(c) Clean copy facilitates prompt publication and reduces the likelihood of errors; therefore those sections of the manuscript containing extensive additions or corrections should be recopied by the originating bureau. Copy should be sent flat, the folios numbered consecutively, typewritten double space unless reprint, and each page should begin with a paragraph. One side of paper only should be used. Duplicate copy of reprint must be furnished when possible if both sides are to be used. Tabular matter should be on separate pages.

(d) Upon receipt of a manuscript by the Office of Information all bureaus will be notified and given an opportunity to see it if desired. It must be returned to the Office of Information with any criticisms or recommendations within three days after its receipt unless an extension of time is granted by the director of information.

(e) After the manuscript has been examined by all the bureaus desiring to do so, it will be editorially reviewed and rechecked in the division of publications of the Office of Information. Comments made or queries raised on manuscripts will be referred to the originating bureau for consideration. Opportunity will also be afforded the originating bureau to check any redrawn illustrations

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Preparation of Publication

and to note any extensive editorial changes made in the division of publications.

1333. Submission of Manuscripts.- All manuscripts for publication should be submitted to the director of information, accompanied by a statement showing:

(1) Title of manuscript and series in which it is recommended that it be published.

(2) That the chief of the originating bureau has carefully considered the manuscript and recommends its publication.

(3) Authority under which the work reported was done.

(4) Need and purpose of the publication.

(5) That the information contained is unpublished or not available.

(6) That statistics and computations have been verified and are correct.

(7) Timeliness of the publication.

(8) Suggested distribution of the publication.

(9) Number of copies recommended for printing for sale by the Superintendent of Documents.

(10) Illustration Certificate. (See also Paragraph 1334.)

It must be established that the publication of a manuscript is necessary before the Department sends it to the printer. The chief of the bureau must hold himself responsible for the information contained in the manuscript. The summary of reasons will enable the director of information

Preparation of Publications

to give more intelligent consideration to manuscripts. When there are unreconciled differences of opinion among bureaus regarding the scientific soundness of the work discussed, or the proper interpretation or application of the same in agricultural practice, such manuscripts shall be referred to a committee appointed for the purpose by the Secretary. Differences of opinion involving contents of the manuscript or editorial matters will be decided by the director of information.

The Style Book of the Government Printing Office is the standard for all branches of the Government and should be followed in the Department.

1334. Illustrations.— Only illustrations that are germane to the text will be used. To prevent duplication of work illustrations to accompany manuscripts should not be submitted by the bureaus to the section of illustrations of the division of publications, for final preparation. They should first be editorially reviewed in the division of publications.

All finished lettering should then be done in the section of illustrations unless the bureau can do it properly. All photographs should be submitted to the Office of Information unmounted. On the back of each illustration there should be given the plate or figure number and title of the accompanying manuscript. Enclosed with the illustrations there should be a sheet containing a typewritten list of all the legends. In addition the legends for text figures should be inserted at those places in the text where the illustrations are to appear.

Every precaution should be taken in handling all kinds of illustrations. It is particularly important that charts, graphs, and colored illustrations shall be correct in every detail when

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS
JANUARY 10, 1900

TO THE PRESIDENT OF THE UNIVERSITY OF CHICAGO
FROM THE FACULTY OF THE UNIVERSITY OF CHICAGO

WE, THE FACULTY OF THE UNIVERSITY OF CHICAGO,
DO HEREBY RESOLVE TO
UNANIMOUSLY ADOPT THE
FOLLOWING RESOLUTIONS:

RESOLVED, THAT THE UNIVERSITY OF CHICAGO
SHOULD BE PERMITTED TO
RECEIVE THE
FOLLOWING RESOLUTIONS:

RESOLVED, THAT THE UNIVERSITY OF CHICAGO
SHOULD BE PERMITTED TO
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Preparation of Publications

submitted. The various figures appearing in the illustrations should be shown in correct proportion and relation; in colored illustrations the colors should be correct and the legends should properly describe the subject matter of the illustrations.

When submitting a manuscript that includes illustrations, each bureau chief will certify in writing to the Secretary that he has examined the illustrations and that they are necessary and relate entirely to the public business.

1335. Covers for Publications.— Excepting such publications as may be considered to be ephemeral in nature, those of 48 pages or over shall carry covers of heavier stock. If, in the opinion of the chief of the bureau, any publication of less than 48 pages deserves a cover for some special reason, the matter should be presented to the director of information for decision.

1336. Material for Outside Publication or for Addresses.— Subject to the limitations upon the performance of outside work prescribed in the section on Conduct (Paragraph 1548), and to such restrictions and regulations as bureau chiefs may prescribe for members of the bureaus under their jurisdiction, employees of the Department may prepare articles and text books for publication and may deliver addresses to radio (Paragraph 1231) or other audiences.

If the material treats in any way of the policies of the Department or the work of other bureaus or departments, it must be submitted by the chief of the originating bureau to the director of information for approval before it is offered for publication or the address is delivered.

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Preparation of Publications

One copy of each article or written address bearing upon the work of the Department and prepared for outside publication or delivery should be sent to the Office of Information for reference at least 10 days in advance of the date of publication or delivery. Where it is impossible to abide by this ruling the Office of Information should be notified of the circumstances so that provisions may be made to give special attention to the paper when it arrives. When no formal manuscript is prepared an abstract or outline of the talk should be sent to the Office of Information under the conditions mentioned above.

EDITING OF PUBLICATIONS

1341. Corrections and Alterations in Proof.- Every effort must be made to reduce to a minimum the charge against the printing fund due to authors' corrections and alterations in galley and page proofs. The necessity for alterations in proof would be practically avoided if all manuscripts or copy were carefully prepared, edited, revised, or otherwise perfected before submission for printing. Only such changes as are absolutely necessary should be made in the proof. When a manuscript has advanced to galley or page proof, it is too late to undertake to improve the language, form of expression, capitalization, paragraphing, etc.

1342. Requests for Reprints of Publications.- All requests for reprints of Department publications should be submitted to the director of information with a memorandum signed by the chief of the bureau, showing

- (1) the circumstances indicating the present need for additional copies;
- (2) that the material is reasonably up to date and requires no revision;
- (3) that the same material has not been incorporated in a later publication.

Ordinarily the bureaus will initiate action for reprints of technical material and the division of publications will initiate action for reprints of farmers' bulletins and leaflets. (1972)

1343. Numbering and Changes in Revisions and Reprints.- When a bulletin or circular is to be reprinted without change or modification of text, there will be no change in title, number or date. Corrections of typographical errors, the substitu-

Editing of Publications

tion of a new title page in a farmers' bulletin or leaflet and the addition of the "Organization List of the Department" may be made and will not be considered as a revision.

When changes consist simply in bringing the information up to date and when the text matter remains practically the same, the old number and title should be retained. A footnote should call attention to the fact that the publication is "Revised _____ 19__," or "Slightly revised _____ 19__," depending on the extent of the revision.

When a fundamental or material change is made in text or the publication is rewritten, a new title and number should be assigned. A suitable statement should explain that it "supercedes" the publication which it replaces.

In transmitting manuscripts for revised or rewritten bulletins or circulars to the director of information, bureau chiefs should suggest whether the publication should carry the old title and number, or a new title and number.

1344. Reference in Department Publications to Commercial Institutions or Private Enterprises Prohibited.— Generally it is contrary to the policy of the Department to refer by name in any of its publications to commercial institutions, commercial products, or private enterprises. The purpose of this policy is to avoid the use of the Department as a medium for advertising. To this end, and in order to avoid any complications that later might arise, when any branch of the Department enters into cooperation with such an institution or enterprise it should be explicitly understood at the time the work is commenced that no reference will be made by name or otherwise to the cooperating institution or enterprise, or to any individual connected therewith, in anything published by the Department.

1345. Editorial Committee of the Journal of Agricultural Research.-- The approval of manuscripts for publication in the Journal of Agricultural Research is vested in a joint committee appointed by the Secretary and the Association of Land Grant Colleges and Universities. The editorial supervision of Journal manuscripts is performed by the office of information.

1346. Purchase of Reprints from Outside Publications.-- When recommended by a chief of bureau and approved by the director of information the Departmental appropriation for printing and binding may be used to purchase separate reprints of scientific and technical articles prepared by employees in their official capacity and published in periodicals and journals.

Such purchases shall be restricted to separates of general interest and definitely necessary to the bureau concerned in carrying forward its projects or in answering correspondence. It should rarely be necessary to purchase more than 200 copies of a single separate.

The cost of separates purchased will be charged against the printing allotment of the bureau concerned. The Department will not pay for composition costs, but will pay the cost of running a separate off the press after the article has been set in type for incorporation in a journal. The printing funds of the Department may not be used to purchase covers for separates. Separates purchased by the Department must not be mailed with "Author's Compliments." They may be mailed under frank only when they bear a stamp on the face reading essentially as follows:-- "Purchased by the United States Department of Agriculture for official use." If a separate is mailed as an enclosure with an official letter, such separate need not be stamped.

In rare cases, a proper appropriation of the bureau concerned may be used, with the prior approval of the director of information, to purchase reprints of articles prepared by private individuals, or by Government employees as private individuals and not officially, so that the Government has no proprietary interest therein and no control over the right of publication; provided, that the articles are already published when the determination or agreement to purchase reprints is made and also that the articles have been prepared without any understanding, promise, or suggestion that such a purchase would be made.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 14, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 83.

There appears on the reverse side of this sheet a revision of regulations 1345 and 1346, entitled "Editorial Committee of the Journal of Agricultural Research," and "Purchase of Reprints from Outside Publications," respectively.

The revision of regulation 1345 consists of a rearrangement of the text only; no change in the purport of the regulation is involved. The revision of regulation 1346 consists of the inclusion of a statement relative to the purchase of reprints of articles prepared by other than Government employees.

The provisions of the regulations, as revised, are promulgated effective immediately.

Inasmuch as the titles of the regulations are included in the Table of Contents and appropriate items appear in the Index, no changes in these sections are necessary.

J. A. Wallace

Secretary.

PRINTING OF PUBLICATIONS

1351. Matters Relating to Printing.- All matters pertaining to style of type, headings, and paper for Department publications shall be decided by the director of information in conference with officials of the Government Printing Office. (1993, 1989)

1352. Department Decisions on Typographical Style.- The director of information, after consideration of suggestions by interested specialists, will establish uniform practice in typographical style in Department publications involving such matters as the use and spelling of words and terms, abbreviation, capitalization, hyphenation, and punctuation. In those cases in which good usage seems to favor forms different from those authorized by the Style Manual of the Government Printing Office, the director of information will confer with the Public Printer regarding the official adoption of such forms. Announcement will then be made of those forms that have been officially accepted.

1353. Printing Requisitions.- The director of information will make and sign all requisitions on the Public Printer for printing and will conduct all negotiations with the Public Printer regarding all forms of Department printing. No communication or papers pertaining to work chargeable to the printing fund will be recognized by the Government Printing Office officials unless they bear the stamp of the Office of Information.

1354. Rush Orders for Printing of Forms.- The quantity of blank forms and other necessary printed material on hand should be maintained uniformly so as to avoid the necessity for submitting rush orders for printing. A period of at least 3 months should be allowed for the delivery of stock forms.

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Printing of Publications

The submission of requisitions for printing involving payment of the 20 percent additional charge for rush work is a serious and costly affair, deranging the plans of the Government Printing Office and making impossible the orderly handling of the great volume of printing work.

All printing requisitions involving the payment of the 20 percent additional charge shall be accompanied by a full explanation as to the cause and necessity for the rush work. The Office of Information will approve the 20 percent additional charge for rush printing only to meet most urgent situations.

1355. Field Printing.— The Joint Committee on Printing of the Congress annually authorizes the Department to do such field printing as may be urgent or necessary elsewhere than in the District of Columbia, for the exclusive use of any field service outside of the said District, provided the same is within the limitations set by the committee for expenditures for this purpose.

When any bureau requires printing in the field, under such authorization, a memorandum stating the necessity or urgency of the printing and the estimated cost, shall be addressed to the director of information, who may, if a proper charge against the appropriation, approve the same, and notify the chief of the bureau and the division of accounts, Office of the Secretary, in writing, of the approval.

When the work is completed, a voucher in favor of the firm doing the work, certified, approved, and accompanied by samples of the work shall be forwarded by the bureau to the director of information, who shall approve the same, if correct, detach samples of work, and forward it to the bureau accounting service, Office of the Secretary, for suitable record and transmission to the Chief Disbursing Officer of the Treasury Department for payment.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Printing of Publications

1356. Duplicated Material. * (Canceled. See Regulation 1381.) *

1357. Central Performance of Photographic and Duplicating Reproduction Work.

1. All Washington offices of the Department shall have their photographic and duplicating reproduction work performed by the central photographic and duplicating plant, unless the Chief of the Office of Plant and Operations determines that an exception is necessary for the economical and effective operations of a bureau.
2. The bureaus shall be billed for photographic and duplicating services on the basis of rates which shall include estimated or actual charges for personal services, materials, equipment (including maintenance, repairs, and depreciation), and other expenses. Price schedules shall be published periodically. (Act of July 12, 1943, 57 Stat. 393).

1358. Orders on the Public Printer for Congressional and Other Documents.

1. The Department initiates periodically requisitions on the Public Printer for the following publications:

Agriculture Appropriation Bill	Hearings
Bills	Official Register
Comptroller General's Decisions	Postal Guide
Congressional Documents	Reports
Congressional Record	Slip Laws
Daily Business Calendars of the	Standardized Government
House and Senate	Travel Regulations
Federal Budget	

2. When ordered on a "periodic requisition" on the Public Printer the above publications are classified as Printing, or Printing and Binding, and as such must be charged to the Printing and Binding Appropriation. The "periodic requisition" orders for the above publications are the consolidated known requirements of the bureaus of the Department for these publications and are included at the time of printing with the order of the original requisitioning agency. The Department is charged only for the costs of printing and binding. The Office of Information is responsible for the placing of the Department's "periodic requisition" with the Public Printer.

3. Additional copies of the above publications ordered from the Superintendent of Documents are classified as Published Materials. (See Regulation 1918.)

DISTRIBUTION OF PUBLICATIONS

1361. Supervision of Distribution.- The Office of Information shall manage the distribution of publications of the Department, although the actual mailing of such publications will take place at the Government Printing Office.

To mail publications to an individual, a request, approved by the chief of the bureau or person designated by him, and accompanied by the necessary addressed frank, should be made on the Office of Information. This request will be forwarded to the office of the Superintendent of Documents, where the publication will be mailed. (1977)

1362. Preference in Distribution.- In the distribution of the regular publications of the Department (excepting farmers' bulletins, emergency circulars, or circulars of general interest, which are issued in large editions and are distributed by regular mailing lists and to miscellaneous applicants), preference should be given to libraries, educational and scientific institutions, the press, exchanges, State and Federal officials connected with agriculture, and those persons rendering tangible service to the Department. Miscellaneous applications will be filled as long as the supply lasts after which applicants should be informed that the publications can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C. at the quoted prices. In general requests for publications received from Members of Congress should be referred to the Office of Information for attention. An account of the farmers' bulletin allotments of each of these officials is kept in that office, and it is necessary that the publications furnished to them be charged against their accounts. If occasionally a bureau furnishes bulletins to Members of

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OF THE UNITED STATES OF AMERICA
FROM 1776 TO 1876
BY
JAMES M. SMITH
NEW YORK: PUBLISHED BY THE
AUTHOR, 10 NASSAU ST. N.Y.

THE HISTORY OF THE UNITED STATES
OF AMERICA
FROM 1776 TO 1876
BY
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Distribution of Publications

Congress, the Office of Information should be notified promptly so that the proper charge may be made against the Congressional allotment.

No private individual or corporation will be sent more than 50 copies of any one publication, except on approval of the Joint Committee on Printing. (See Regulations of the Joint Committee on Printing.)

1363. Complimentary Notice.— No official publication of any kind shall contain any notice that it is sent "with the compliments" of an officer of the Government, or with any special notice that it is so furnished, but an acknowledgment of its receipt may be requested. (1995)

1364. Distribution of Periodicals.— The free distribution of periodical publications will in general be limited to the following groups: (a) libraries; (b) the press; (c) Department employees; (d) cooperators; (e) collaborators; (f) workers in agricultural colleges and experiment stations; and (g) agricultural associations.

No name will be placed upon the mailing list for any periodical except upon specific request of the person or institution desiring it and the approval of the issuing bureau and the Office of Information. Others may purchase these publications by subscription from the Superintendent of Documents, Government Printing Office. (1976)

1365. Distribution of Service and Regulatory Announcements.— The number of persons carried on the mailing list to receive copies of announcements free should be reduced to the least possible, or legal minimum, and, as far as practicable, not more than one copy should be sent to any individual. The Superintendent of Documents establishes a subscription price for these

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Distribution of Publications

announcements, single number and bound volumes, in order to supply any demand beyond that covered by the free distribution.

1366. Distribution of the Journal of Agricultural Research and Its Separates.— The free distribution of the Journal is confined to agricultural colleges, technical schools, experiment stations, libraries or large universities, Government depositories, and such institutions as make suitable exchanges with the Department. No copies are available for free distribution to individuals.

Separates of the different papers appearing in the Journal are usually available for distribution within a short time after the number of the Journal containing the articles is issued. If the separates are ordered at the time of publication, they may be purchased either singly or in bulk from the Superintendent of Documents. After they are issued, no further reprints of the separates are made, unless the expense of so doing seems fully justified. Mailing lists of individuals and institutions interested in the various special lines of agricultural research are maintained in order that effective distribution of the Journal separates may be made.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

MAILING OF PUBLICATIONS

1371. Mailing Lists

1. * Establishment and Maintenance of Lists.

a. Mailing lists in plate form which are for the use of bureaus in Washington, whether for distribution of publications or for administrative or other purposes, may be established, consolidated, or abolished only with the approval of the Director of Information. Unless an exception is authorized by him, all additions, removals, and changes of plates in such lists shall be made through the Office of Information, which will maintain a consolidated index of names on the lists.

b. Each bureau shall keep its mailing lists strictly current. Unless in particular cases a longer period is justified and is approved by the Director of Information, or unless a different period is fixed by law, each bureau shall at least once each year ascertain from each person or organization on its mailing lists whether or not the publication or other material in question is still required and, if so and if more than one copy is sent, whether the quantity can be reduced. Each bureau shall report to the Director of Information the fact that this canvass has been completed. *

2. Use of Mailing Lists. The mailing lists of the Department are compiled for official use only. No copy of any such list shall be furnished on franks, envelopes, or otherwise for the use of any individual, firm, or organization. The Crop Reporter lists of the Department shall not be used for any purpose except crop reporting without specific approval of the Secretary. (1976)

1372. * Exchange of Publications *

1. * Exchanges to be Arranged by the Librarian. In order that exchanges may be arranged with maximum advantage to the Department as a whole and the Library collection may be strengthened, all agreements for exchange of publications shall be made by the Department Librarian. He may at any time initiate negotiations for the institution or revision of exchange agreements, and for this purpose shall have access to all mailing lists, wherever located. Requests received by bureaus for exchange of publications shall be referred to the Department Librarian. All publications sent to the Department on exchange will be addressed to the Library. *

2. * Changes in Mailing Lists. Upon the request of the Department Librarian, such changes shall be made in mailing lists as are required by the initiation, revision, or termination of exchange agreements. *

3. * Foreign Exchange Agreements Required. No printed or processed publications issued by the Department or any bureau shall be sent regularly to any foreign government, organization, or individual, unless exchange agreements have been made or an exception has been authorized by the Department Librarian. *

4. * Postage. Postage charges for Department publications mailed under exchange agreements will be paid from the appropriation for the Department Library. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Mailing of Publications

1373. * Foreign Requests for Publications *

1. * Unless they come within the provisions of Regulation 1372, foreign requests for publications will be handled by the bureaus concerned. If the Department is under obligation to honor the request, the material will be sent free of charge. Otherwise the request will be referred to the Superintendent of Documents through the Office of Information. *

2. * Requests from the Department of State for publications to be sent to foreign countries and requests from representatives of foreign countries in the United States will be cleared with the Office of Foreign Agricultural Relations and, if the provisions of Regulation 1372 are applicable, with the Department Librarian, before action is taken by the Office of Information. *

1374. * Mailings *

1. * In submitting manuscripts for publication, chiefs of bureaus shall recommend to the Director of Information the mailing lists to be used in distributing the material. The Director of Information shall determine what mailings shall be made and shall issue mailing instructions to the Government Printing Office. Rather than authorizing the mailing of the publications, he may instruct the Government Printing Office to mail announcements indicating that the publications are obtainable, either free or by purchase from the Superintendent of Documents. *

2. * In the case of new publications or thoroughly revised editions, 200 copies will be sent to the issuing bureau and 150 copies to the Office of Information. When reprints or slight revisions of Farmers' Bulletins or Leaflets are ordered, 100 copies will be sent to the issuing bureau and 150 copies to the Office of Information. A limited supply of publications will be kept in stock by the Office of Information for the use of bureaus, but not for mailing except when necessary in connection with correspondence in reply to requests for information. *

1375. Exchanges Received. * (Canceled. See Regulation 1372.) *

1376. * Use of International Exchange, Smithsonian Institution. If speedy delivery is not essential, publications which are to be sent to foreign countries and which are too bulky to be sent under postage shall be forwarded by means of the International Exchange through the Smithsonian Institution. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Duplicated Publications

*1381. Duplicated Material for Distribution to the Public.

1. "Duplicated material," as used in this regulation, means all mimeographed, multilithed, dittoed, and other mechanically duplicated material, except printed material, for distribution to the public generally or to State or county Extension workers, Agricultural Conservation committees, Soil Conservation District boards, REA cooperatives, or similar groups which cooperate in Department programs.
2. Chiefs of bureaus are responsible for seeing that all duplicated material is properly reviewed before it is duplicated and that it is limited, both in length and in number of copies, to that necessary to carry on the work of the Department effectively, consistent with the wise expenditure and economical use of public funds.
3. The chief of each bureau shall designate an information officer in Washington and a qualified official in each field office which issues duplicated material, who shall, subject to the direction of the chief of the bureau or other designated bureau official, (1) review all such material, prior to duplication, from the standpoint of public information and Departmental policy, and (2) review the distribution to be made of such material in order to see that distribution is limited to the minimum essential. The names of all persons so designated and all subsequent changes in designations shall be reported to the Director of Information.
4. Duplicated material which may involve questions of Department policy or which involves the work of, or may be appropriate for public distribution by, other Departments, agencies, or bureaus shall be submitted to the Director of Information for approval prior to issue. The Director of Information will ascertain whether other bureaus, agencies, or Departments wish to make public distribution of such material.
5. No new duplicated periodicals shall be established without the approval of the Director of Information.
6. The Director of Information shall be responsible for making such reviews of duplicated material and the distribution thereof as may be necessary to insure that the provisions of this regulation are being carried out. He may require that certain material or types of material be discontinued or limited in distribution. *

Approved 6-4-47 (Amendment 245)



REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Reports of Accomplishments

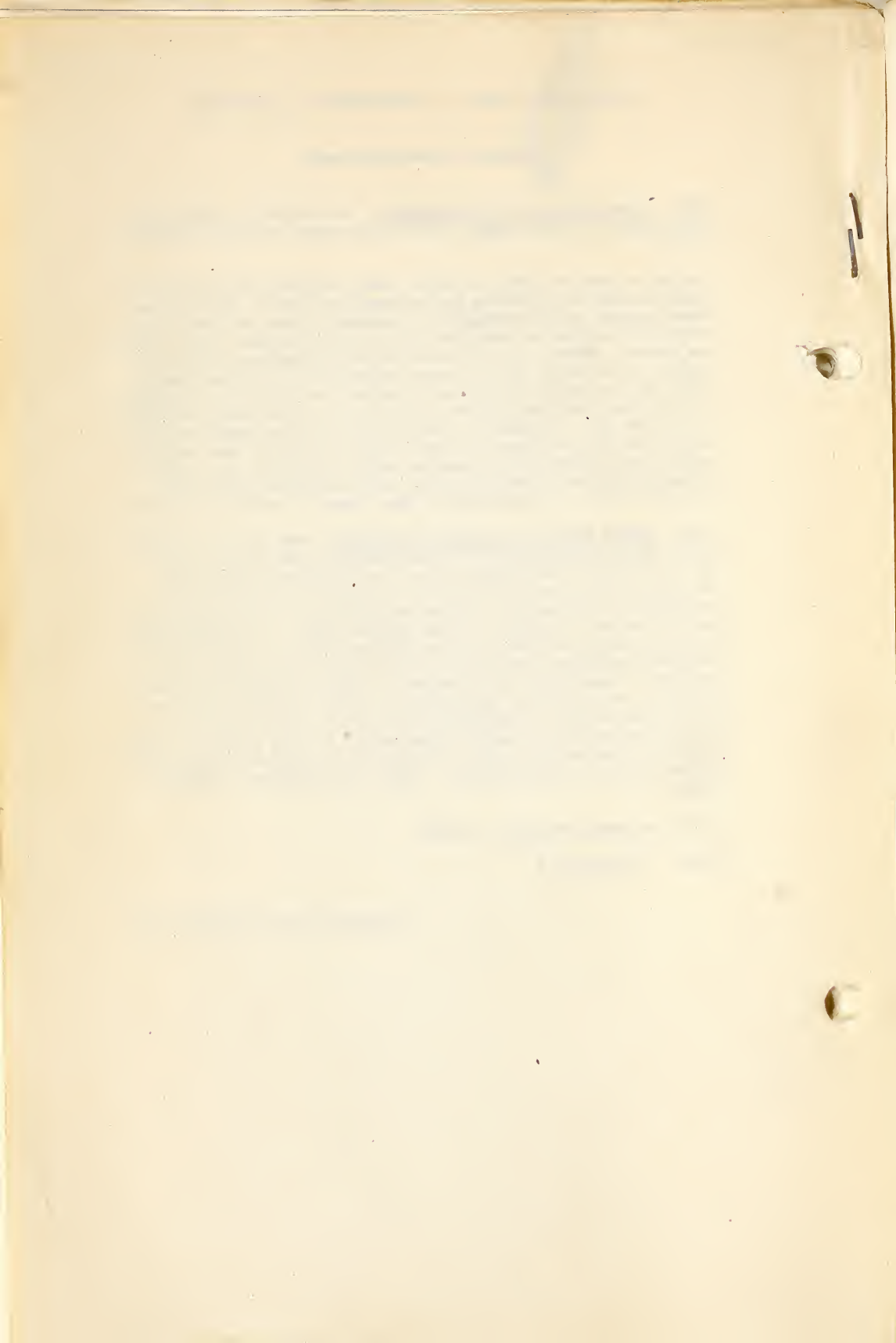
1411. Annual Report of the Secretary. The Secretary shall make such reports, in such manner, and at such times as may be required by law.

The act of June 20, 1936, 49 Stat. 1545, provides that the appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress.

1412. Annual Reports of Chiefs of Bureaus. Each chief of bureau shall make an annual report of the work performed in his bureau and the results accomplished during the preceding fiscal year. The report should be as brief as the subject matter and the requirements for economical printing will permit. The language used must not be too technical for the general reader. No engravings, maps, drawings, or other illustrations may be used unless they are necessary and relate entirely to the transaction of the public business. Manuscripts of all reports should be submitted to the Secretary not later than September 15. Those which he determines may be printed will be editorially reviewed in the Office of Information where the length of manuscript and the number and character of illustrations to be included will be subject to approval by the Director of Information. (Also see Regulations 1411 and 1433)

1413. Canceled, February 3, 1945.

1414. * Canceled. *



PROJECT REPORTS

1421. Uniform Project System.-- To promote the effective coordination of the activities of the Department, to aid in precluding unnecessary duplication, and in order that the Secretary may be kept fully informed at all times regarding the work being carried on, each bureau and office of the Department shall file with the Office of the Secretary uniform project statements covering in detail the work under its jurisdiction. These statements will be prepared in accordance with the manual of instructions, as issued by the Department and as supplemented from time to time. They shall be kept current and shall be supplemented by annual and other reports as specified in the manual of instructions. The permanent record file of the project statements of all bureaus and offices shall be kept in the office of budget and finance. Each bureau also shall maintain at least one complete and current file of its uniform projects. Bureau chiefs are required to see that there are filed in some readily accessible place sufficient data regarding each project under their supervision to enable them to furnish, whenever called upon, adequate information regarding its status and progress. The uniform project system will form the basis of the Department's program of work, and the annual budget estimates of the Department will be prepared on the basis of these projects. The file of projects of all bureaus and offices maintained in the office of budget and finance will be freely available for general reference. In furtherance of the policy of coordination, the Department encourages the use of the Project System, for reference purposes, by administrative officers and research workers of the various bureaus so that they may be familiar at all times with the work of the entire Department, especially of bureaus and offices working in the same or closely related fields.

1422. New Work. A bureau or office contemplating any new work not adequately described in a previously approved current uniform project shall submit a new or an amended project covering such work, through the Office of Budget and Finance, for advance approval of the Secretary and for submission, when necessary, of a report to the Bureau of the Budget pursuant to Budget Circulars No. 77 and No. 337. The proposed new work shall be submitted in writing either as (1) a new financial project; (2) a new work project; or (3) as additional work proposed under an existing financial or work project. New financial and work projects shall be submitted on the appropriate project forms. The information on new work submitted under any of the three above-mentioned categories should state (a) the perspective, object, and plan of the work; (b) an estimate of the cost thereof for the fiscal year in which the work is begun and of the probable total cost; (c) the probable number of persons to be employed thereupon during the fiscal year in which the work is begun and an estimate of their salaries; (d) whether the project will require an additional allotment of funds to carry on the proposed new work, and if so, the source of the funds; and (e) whether or not the work is required by law, and if so, the specific law or laws involved. These data will be reviewed to determine the desirability of the undertaking proposed, its possible relation to the work of any other bureau or department, and the propriety of its being conducted as an activity of the Department of Agriculture.

1423. *Federal Legislation. Existing policies and procedures to be followed in proposing or reporting on Federal legislation have been evolved over the years out of applicable laws and the requirements of the Budget Bureau and the Department. Those of most general applicability are summarized in this regulation, and presented in detail, together with other requirements, in Budget and Finance Circular No. 528, as supplemented.

a. Reports on Bills, Etc. Recommendations or reports to Congress, or committees or members thereof, with respect to proposed or pending legislation, and requests for new legislation, must first be referred by the Department to the Director of the Bureau of the Budget for advice as to the relationship of the proposed or pending legislation, or of the proposed reports thereon, to the program of the President; and when such requests or reports are thereafter submitted to Congress, or committees or members thereof, they shall include a statement of such advice. Clearance by the Bureau of the Budget under this requirement is obtained by the Department Budget Officer, prior to submission to the Secretary for signature. (For information concerning appropriation bills and estimates see Regulation 1431.)

b. Testimony before Congressional Committees. In order to provide for Departmental coordination and information, members of the Department will obtain clearance, through bureau channels, from the Secretary's Immediate Office before testifying in an official capacity before Congressional committees. If the prospective witness expects to be called upon for, or intends to give, any recommendation or expression of views with respect to legislation, clearance shall also be obtained, through the Department Budget Officer, from the Bureau of the Budget pursuant to the requirement set forth above. When time does not permit the obtaining of advance clearance by the Bureau of the Budget, Department representatives shall make clear to

1423 (cont.) the Congressional committee that their testimony does not involve any commitment as to the relationship of the proposed or pending legislation to the program of the President. After the hearing or conference, the witness from the Department should make a brief written report (preceded, where conditions indicate, by a telephone report) through bureau channels, to the Secretary's Immediate Office. A copy of each such report should also be routed to the Office of Budget and Finance for its information.

c. Assistance in Drafting Legislation. Members of the Department who are requested to render drafting or similar expert technical assistance with respect to legislation involving Department activities but not involving the expression of official views, shall notify the Secretary's Immediate Office of such request, as a matter of information, before the service is performed if possible. In these cases, copies of the drafts should be furnished to the Office of Budget and Finance for purposes of Departmental coordination. Members of the Department shall explain that drafts of legislation submitted under such conditions do not necessarily represent the official views of the Department, unless clearance, as provided in paragraphs a and b above, has been obtained.

d. Influencing Legislation. As provided by law, no funds available to the Department shall be used, directly or indirectly, to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent members of the Department from communicating to members of Congress, on the request of any member, or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the Department's business.
(1280)*

Revised 10-16-42

FINANCIAL REPORTS

1431. Budget Estimates.— Estimates of appropriations required for the work of each bureau shall be submitted by the chiefs thereof for consideration and action by the Secretary as prescribed by law and by the requirements of the Department, the Bureau of the Budget and the Congress.

Special instructions will be issued by the Bureau of the Budget and by the Department's budget officer indicating the form and detail in which the estimates shall be prepared.

In preparing such estimates the chief of each bureau should have in mind at all times the need for economy in Government expenditures. Each project should be carefully considered to determine whether further expenditures are justified, whether the project might not be discontinued and the appropriation decreased without detriment to the public interest, or whether the funds might not be transferred to more promising or more urgently needed lines of work.

New proposals and increases should be explained in clear and concise statements prepared in such manner as readily to permit their individual consideration and approval or disapproval. These explanatory notes should indicate clearly and specifically the need for the increase and exactly how it is proposed to use the additional funds requested; in other words, show the basis for the recommendation, including detail as to increased personnel, travel, equipment, or other objects of expenditure.

Items covering work in fields in which other bureaus of this Department or of other departments also are working or should be working or for which they may also be seeking funds should be coordinated with the estimates of such other agencies prior to their submission to the Secretary.

Financial Reports

It is important that proposed new items of appropriation or changes in existing items be so phrased as to express in unequivocal terms what the Department plans to do. Chiefs of bureaus should avail themselves of the services of the solicitor to determine whether the estimates, if adopted by Congress and enacted into law, are legally sufficient to accomplish the intended purposes. (1630, 1636, 1637, 1713, 1714, 1715, 1716, 1717, 1724)

1432. Financial Statements for Congress.— All financial statements called for from time to time by Congress or any committee or member thereof will be handled through the director of finance. (102, 1635)

1433. Annual Reports of Agricultural Experiment Stations and Cooperative Agricultural Extension Work.— There shall be submitted to the office of the Secretary annually, as soon after November 1 as possible, the following reports prepared in triplicate:

(a) By the chief of the Office of Experiment Stations, a report of the work and expenditures of the agricultural experiment stations in the several States and Territories, whether the appropriation of any State or Territory has been withheld and, if so, the reasons therefor.

(b) By the director of extension work, a report of the receipts, expenditures, and results of the cooperative agricultural extension work of the Department and of agricultural colleges in the several States and Territories receiving the benefits of the funds provided under the Smith-Lever Act; whether the appropriation of any State or Territory has been withheld and, if so, the reasons therefor. (481, 498, 533)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

CROP REPORTS

1441. Crop and Livestock Estimates and Reports

1. Functions of Crop Reporting Board. There shall be in the Bureau of Agricultural Economics a Crop Reporting Board, the primary function of which shall be to prepare and issue, as provided in paragraph 3 and elsewhere in this Regulation, the official State and National estimates and reports of the Department relating to crop production, livestock and livestock products, numbers of livestock on farms, stocks of agricultural commodities, *local market prices, value of farm products,* and such other subjects as the Chief of the Bureau may direct. Among these reports shall be the Monthly Crop Report, which shall be issued on or before the 10th of each month as provided in the Act of March 4, 1909 (35 Stat. 1053, 7 USC 411a), and the Cotton Report to be issued on or before the 10th day of July and the 8th day of each month from August to December, as provided in the Act of May 3, 1924 (43 Stat. 115, 7 USC 475), the Act of April 2, 1924 (43 Stat. 31, 13 USC 72, 75, 76), and the Act of March 3, 1927 (44 Stat. 1373, 7 USC 475) (528, 566, 567, 639, 341, 642).

2. Organization of Board.

a. Chairman. *The Head of the Division of Agricultural Statistics shall be the permanent Chairman of the Board and he shall call and preside over all meetings of the Board. The Division Head shall issue the necessary instructions within the Division for gathering, compiling, and summarizing data for the reports specified in paragraph 3, and shall approve the statistical techniques and procedures to be followed by the staff of the Division and by the Board in analyzing, interpreting, and reviewing the pertinent data and in preparing the official estimates for each report.*

b. Members. *The Head of the Division shall select the members of the Board for each report from the staff of the Division.* For the Monthly Crop Report the Board shall have not less than five members in addition to the Chairman, not less than two of whom shall be selected from the staff in the field offices of the Division. For the Cotton Report the Board shall have not less than five members, of whom not less than three members shall be supervisory field statisticians *** located in different sections of the cotton growing States, experienced in estimating cotton production and who have first-hand knowledge of the condition of the cotton crop based on recent field observations, and a majority of the Board shall be familiar with the methods and practices of producing cotton, as provided in the Act of May 3, 1924. For the Annual Cotton Crop Summary in April, the Annual Crop Production Summary in December, the Winter Wheat and Rye Seedings Report as of December 1, the Prospective Plantings Report as of March 1, the Annual Livestock Summary as of January 1, and the Pig Crop Reports as of June 1 and December 1, the Board shall consist of not less than five members, of whom not less than two shall be selected from the staff of the field offices.

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Crop Reports

1441 (cont.)

c. Secretary. The Board shall have a permanent Secretary, *who shall be selected from the professional staff of the Division in Washington.* He shall assist *** in preparing instructions and forms for collecting, compiling, summarizing, and analyzing statistical information for the use of the Board, shall arrange for suitable means for transmission of instructions, records, and reports to and from the field offices of the Division, shall maintain records of the information assembled by the Division, including a record of the official estimates prepared by the Board, and shall maintain a file of the signed copies of Board reports. For each report the Secretary shall assemble and collate information for the use of the Board, issue proper notices of Board meetings, and make necessary arrangements for the preparation, signing, and release of reports in such manner and at such times as are herein described.

3. Reports.

a. Reports to be Approved by the Secretary. The following Board reports shall be signed by the Chairman, Secretary, and members of the Board, and shall be approved by the Secretary of Agriculture before being issued or published:

Monthly Crop Reports, except for February, March, and December (see paragraph 1)
Cotton Reports (see paragraph 1)
Annual Cotton Crop Summary in April
Annual Crop Production Summary in December
Winter Wheat and Rye Seedings Report as of December 1
Prospective Plantings Report as of March 1
Annual Livestock Summary as of January 1
Pig Crop Reports as of June 1 and December 1

b. Other Board Reports. Such other reports as are designated by the Head of the Division, with the approval of the Chief of Bureau, shall be prepared and issued as Board reports. For each such report, *the Head of the Division shall select the Board members* from the staff of the Division in such manner and in such numbers as may be deemed necessary. Such reports shall be signed by the members of the Board who prepared them and be approved by the Chairman before being issued. ***

c. Annual Release Schedule. On or before the first day of December of each year there shall be prepared a schedule for the ensuing year setting forth dates and hours of release of all regular statistical reports listed in paragraph 3a for which the approval of the Secretary of Agriculture is required. The schedule of reports shall be effective when approved by the Secretary of Agriculture and may be amended at any time with his approval. Subsequently, there shall also be prepared and issued, to the extent possible, an advance listing of the reports referred to in paragraph 3b, together with dates of publication or issuance.

4. Collection of Information. For use in preparing the official estimates of the Department, information relating to agriculture shall be gathered through the Washington and field offices of the Division, as far as practicable, from practical farmers, as provided in the Act of March 4, 1909 (7 USC 411a); from peanut processors, as provided by the Act of June 24, 1936, as amended, (7 USC 951 et seq);

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Crop Reports

1441 (cont. 2)

from processors, dealers, cooperating State and local officials, agencies in the Department; and from other sources. This information shall be collected by mailed questionnaire, by sample enumeration, by interviews, or by other appropriate means. (528, 630-43 et seq.)*

5. *Information Not to be Released; Speculation; False Statistics.

a. Withholding Information. The contents and every part of the contents of each and every report specified in paragraph 3a, and the information and every part of the information utilized in the preparation of such reports, shall be withheld from publication until the day and hour provided for the issuance of the reports in the schedule approved by the Secretary of Agriculture and amendments thereto.

b. Access to Information. No member of the Board or other persons engaged in the preparation of information for reports shall, before the release of any Board report provided for herein, willfully impart or permit access to any information contained therein or any part thereof, directly or indirectly, to any person not entitled under the law and rules of the Department to receive the same. The Chairman may under this regulation notify officers in charge of field offices of the Division, in advance of publication, of changes made by the Board from recommendations submitted by such officers for non-speculative items as defined in paragraph 6a(2).

c. Statutory Provisions

(1) "Whoever, being an officer or employee of the United States or a person acting for or on behalf of the United States, in any capacity under or by virtue of the authority of any department or office thereof, and while holding such office, employment, or position shall, by virtue of the office, employment, or position held by him, become possessed of any information which might exert an influence upon or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of the Department or office required to be withheld from publication until a fixed time, and shall willfully impart, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the Department or office to receive the same; or shall, before such information is made public through regular official channels, directly or indirectly speculate in any such product respecting which he has thus become possessed of such information, by buying or selling the same in any quantity, shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both: Provided, That no person shall be deemed guilty of a violation of any such rule unless prior to such alleged violation he shall have had actual knowledge thereof." (Act of March 4, 1909, 18 USC 214) (1293)

(2) "Whoever, being an officer or employee of the United States and whose duties require the compilation or report of statistics or information relative to the products of the soil, shall knowingly compile for issuance, or issue, any false statistics or information as a report of the United States shall be fined not more than \$5,000 or imprisoned not more than five years, or both." (Act of March 4, 1909, 18 USC 215) (1294)*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Crop Reports

1441 (cont. 3)

6. *Speculative and Non-speculative Data.

a. Definition. Data used by the Board in the preparation of the Monthly Crop Report and the Cotton Report shall be classified as follows:

(1) Speculative data, which are defined to be data relating to corn, wheat, oats, or cotton, the assembling and collating of which would make it possible for any member, members, or assistants of the Board approximately to anticipate the Board's forthcoming report for the United States on the condition, yield, probable production, or farm stocks of designated commodities, or the acreage or ginnings of cotton. These data shall be deemed to be speculative for:

- (a) Corn in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.
- (b) Winter wheat in Illinois, Indiana, Kansas, Missouri, Montana, Nebraska, Ohio, Oklahoma, Texas, and Washington.
- (c) Spring wheat in Idaho, Minnesota, Montana, North Dakota, South Dakota, and Washington.
- (d) Oats in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.
- (e) Cotton in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.

(2) Non-speculative data, which are defined to be any statistical data other than the speculative data defined in paragraph 6a(1).

b. Transmission.

(1) Summaries of speculative data collected in the field offices of the Division, together with recommendations of the officer in charge of each such office, shall be transmitted by mail or telegraph to the Secretary of Agriculture. When transmitted by mail, the summaries and recommendations shall be forwarded in a sealed envelope marked "Special A." When transmitted by telegraph, the summary and recommendations shall be forwarded in a secret code provided by the Secretary of the Board. Non-speculative data may at all times be forwarded directly to the Secretary of the Board by the officers in charge of the field offices of the Division.

(2) The officer in charge of the Department telegraph office shall place each telegram received by him containing speculative crop report data in a sealed envelope marked "Special A" and deliver such envelope by special messenger to the office of the Secretary of Agriculture.

c. Custody of "Special A" Envelopes. All "Special A" envelopes containing speculative crop report data received in the office of the Secretary of Agriculture shall, immediately upon receipt and without breaking the seals thereof, be placed in the locked box provided for that purpose in the office of the Secretary of Agriculture.

d. Opening of "Special A" Envelopes. Immediately preceding the convening of the Board on the day a report is to be published, the locked

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Crop Reports

1441 (cont. 4)

box in the office of the Secretary of Agriculture containing the "Special A" envelopes shall be opened and the envelopes removed in the presence of a designated representative of the Secretary of Agriculture, the Chairman, Secretary, and one other member of the Board, and a special guard provided by the office of the Secretary of Agriculture. The Chairman, Secretary, and other member of the Board, accompanied by the guard, shall then proceed directly to the Board rooms.*

7. *Board Rooms.

a. Definition. The Board rooms shall consist of the Board room proper and all other rooms occupied during the locked-in session of the Board by clerks, stenographers, and others engaged in assisting the Board in the preparation of the report.

b. Safeguards Against Communication of Information. Previous to the arrival of the Board representatives and guard with the sealed "Special A" envelopes, the Secretary of the Board shall have caused all windows in the Board rooms to be sealed in such manner as to prevent communication between persons within the Board rooms and persons outside, and the officer in charge of the Department's branch telephone exchange shall have caused to be disconnected all telephones, buzzers, and similar means of communication from the Board rooms. Immediately after the entrance of the Board representative into the Board rooms, with the sealed "Special A" envelopes, the guard shall lock all doors leading from the Board rooms, and remain on watch until the report is released. While on watch, the guard shall not permit any communication between persons within the Board rooms and persons outside except as provided below. The guard shall unlock the door only to permit:

(1) The entrance of:

- (a) The Secretary of Agriculture.
- (b) The Chief of the Bureau.
- (c) Officials of the Bureau of the Census who cooperate in issuing the joint cotton ginning and production report.
- (d) Employees of the Division and other persons whose presence is required in the preparation of the report, and who have written permission from the Head of the Division.
- (e) Other officials and employees of the Department of Agriculture having written authority from the Secretary of Agriculture, or from the Chief of the Bureau.

(2) The delivery to the Board rooms of mail, telegrams, written communications, or supplies for the use of the Board.

(3) Notification by the Chairman to the guard of delay in completion of a Board report (see paragraph 8d) or to convey emergency instructions essential to completion of a report.

(4) The departure of:

- (a) The Secretary of Agriculture, the Chairman, and such other persons as may be designated at the time by the Chairman, for the purpose of proceeding, under guard, to the room provided for the release of the report.
- (b) Any person in the case of extreme emergency, in which event a member of the guard shall accompany and remain with such person until the release of the report.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Crop Reports

1441 (cont. 5)

(c) All persons in case of fire or an air-raid.*

8. *Approval and Release of Reports.

a. Approval. Upon the completion of any Board reports specified in paragraph 3a of these regulations, a copy must be signed by the Chairman, Secretary, and each member of the Board, and approved in writing by the Secretary of Agriculture before it is released. The Chairman, accompanied by a member of the guard and not less than two other persons, shall take copies of the approved report from the Board rooms to the release room before the time specified for the publication and release of the report.

b. Release Officer. The officer in charge of the Department's telegraph office shall act as release officer and shall provide in the release room suitable telegraph and telephone facilities for all persons desiring such facilities for the transmission of the report upon its official release.

c. Procedure. Upon the arrival in the Board release room of the Chairman and persons accompanying him, the release officer shall cause all persons other than the Chairman to remain within a prescribed area until the release of the report, the limits of which area shall be not less than six feet from the telephones, telegraph instruments, and tables or shelves provided for distribution of copies of the report. The Chairman then shall place copies of the report, face down, beside each instrument, and additional copies, face down, upon the tables or shelves provided for that purpose. At the exact time provided for the official issuance of each report, the release officer shall inform those present that the report is released to the public and permit access to the copies of the report. The release officer then shall notify the guard at the door of the Board rooms that the report has been released and the guard thereupon shall unlock the doors of the Board rooms.

d. Delay in Releasing Reports. In the event that the report should not be completed and approved for issuance at the designated time, the Chairman, within ten minutes of the time designated for the release of the report, shall notify the guard of the time when the report will be ready for release. The guard immediately shall notify the release officer, who, in turn, shall notify all persons who are present in the release room for the purpose of receiving the report.*

9. *Acknowledgment of Regulation. The Head of the Division shall cause to be delivered, or exhibited, a copy of this Regulation to each employee of the Division or other person having access to crop report data in advance of publication. The Head or an authorized representative shall obtain from each such person a certification which shall be an acknowledgment that such person has read this Regulation and will be governed by it.*

10. *Definitions. Wherever Department, Bureau, Division, or Board is mentioned herein, the Department of Agriculture, the Bureau of Agricultural Economics, the Division of Agricultural Statistics, or the Crop Reporting Board is meant. Wherever any official is mentioned by title of position, the term shall include any person properly acting in his stead.*

MEETINGS, FAIRS, AND EXPOSITIONS

1511. Participation in Meetings, Fairs, and Expositions.— The division of exhibits, extension service, is responsible for and in charge of all exhibit activities of the Department, including plans for presentation of subject-matter in exhibit form, preparation of exhibits, and arrangements for exhibitions of any and all kinds.

As a general rule the Department participates in expositions or fairs or other exhibition occasions only when the management thereof agrees to cooperate in the expense of transporting and caring for the exhibits. Exceptions may be made when specifically authorized by law or where it appears to be to the advantage of the Department to make special arrangements.

All applications for exhibits at fairs, expositions, meetings, conventions and similar occasions and all requests, or inquiries relating thereto, received by any branch of the Department shall be referred to the director of extension work for attention.

All negotiations with and arrangements for participation by the Department in fairs and expositions or other exhibition occasions, shall be made by the extension service, but in cases where exhibit material on the subject-matter of one Department unit only is involved, the director of extension work may authorize such unit to arrange for and conduct the exhibition. The various units of the Department on their own initiative may, however, prepare and display small exhibits at meetings, conventions and other similar occasions.

Costs of preparing and handling exhibits for display at occasions other than those for which annual or specific appropriations are provided must

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Meetings, Fairs, and Expositions

1511. (cont. 1) be met from funds furnished by the branches of the Department whose subject matter is concerned. Transportation and related expenses in connection with such exhibition occasions will be met from cooperative funds provided by the exhibition occasion if that can be arranged, otherwise from funds furnished by the interested bureau or agency.

If funds are available the Department may pay the expenses of its employees to represent the Department and have charge of exhibits at any exhibition if the scope and purpose of the exhibition occasion warrants such expenditure.

In referring applications, inquiries or correspondence relating to proposed exhibitions to the director of extension work, bureaus of the Department should accompany them with a statement indicating their willingness to participate singly or with other Department agencies. If expenses for such participation cannot be paid under the Department exhibits appropriation or under any special exhibition appropriation, the bureau or other agency should indicate also whether it is willing to defray any portion of or all costs in case the extension service is unable to obtain participation costs from the organization desiring the exhibits. (See also Paragraph 4224.) (80, 81)

1512. Attendance at Meetings.

* 1. Definition. The term "meeting," as used in this regulation, means any meeting (other than work conferences held in connection with cooperative programs of this Department with other Federal or State agencies) called by an agency or organization other than this Department.

2. General Policy. When practicable, the Department will provide representation at meetings of farmers, scientific and professional societies, trade associations, State and Federal officials, international organizations, congresses, and groups, etc., for the purpose of giving or acquiring information relating to the work of the Department, when such representation is necessary for the performance of the Department's functions or will further its authorized work. (5 U.S.C. 83)

3. Limiting Considerations. Before authorizing attendance at meetings, Department officials should give careful consideration to:

- a. The propriety of the Department of Agriculture's being represented;
- b. Whether the specific reasons for attendance fully justify the expenditure of time and public funds;
- c. Avoidance of interference with or neglect of the primary work of the employee concerned;
- d. Economy in the expenditure of public funds;
- e. Avoidance of excessive representation at any meeting;
- f. Coordination of representation when more than one agency or division of the Department is concerned. In some cases it may be feasible for one employee to represent more than one agency or division. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Meetings, Fairs, and Expositions

1512. (cont. 1) * In any case, interchange of information with respect to material to be presented or of information acquired will be desirable;

g. Conformity with Department policy as to the substance of any matter to be presented. (See also Regulations 1231 and 1232.)

4. Authorization to Attend Meetings

a. Except as provided in paragraph b below, attendance at any meeting on official time or travel or otherwise involving the expenditure of public funds must be authorized by an agency head who reports to the Secretary or by designated staff assistants in the head's immediate office. When more than two persons are so authorized to attend a meeting, a report must be prepared at the time authorization is given listing (a) the place and duration of the meeting, (b) the official stations of those authorized to attend, (c) the number whose travel and per diem will be paid from public funds, and (d) the number who will attend on official time but whose travel and per diem will not be paid from public funds. The report shall be sent to the Director of Personnel, who will make an annual report to the Secretary. The Director of Personnel may from time to time request special reports of the total attendance at meetings, including local meetings.

b. In the following cases power to authorize attendance at meetings on official time or travel or otherwise involving the expenditure of public funds may be delegated by heads of agencies to responsible officials, and no report to the Director of Personnel is required:

(1) When not more than two employees of any bureau are to attend the meeting, or

(2) When the meeting is not national, regional (that is, involving more than one State), or Statewide in character.

c. Attendance at meetings of international organizations, groups, and congresses must, in addition to being authorized pursuant to paragraph 4a above, have the concurrence of the Director of Foreign Agricultural Relations. (See also Regulations 1821 and 3421 if foreign or territorial travel is involved.) *

1513. Compensation for Services or Expenses of or Detail to Commissions, Councils, Boards, Etc. No part of any appropriation of this Department shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall have been authorized by law; nor shall any employee of the Department be detailed to serve in connection with any such commission, council, board, or other similar body. (1736)

PARTICIPATION IN JUDICIAL PROCEEDINGS

1521. Oaths, Affidavits, and Acknowledgments in Connection with Prosecutions.— Oaths, affidavits, and acknowledgments for use in any criminal or civil proceeding under, or in the enforcement of, any law administered by the Department or a bureau or subdivision thereof shall, wherever practicable, be administered and attested by an employee of this Department designated by the Secretary for that purpose pursuant to law. When a designated employee is not available and the oath is to an affidavit in support of criminal information, such oath may be attested by the clerk of a United States court. But when the oath is to be used in a civil proceeding, attestation may be, in addition to the several methods hereinbefore prescribed, by United States commissioners, notaries public of States, Territories, or the District of Columbia, clerks or prothonotaries of courts of record of any state, district or Territory, by deputies of such clerks, or prothonotaries, or by magistrates authorized by the laws of or pertaining to any such State, district, or territory to administer oaths. If there is no provision for authentication under seal by the executing officer, the qualifications of such executing officer shall be authenticated by certificate of the clerk of the court or other officer in charge of the record of his appointment or election. Attestation fees shall not be charged by designated employees of the Department of Agriculture or by clerks of the United States courts. Attestation fees of United States commissioners shall be paid on settling their accounts in the General Accounting Office. When the oaths, affidavits, or acknowledgments are administered by others herein mentioned, the charges authorized by the appropriate State, district, or territory may be made. (89, 90, 140, 141, 534, 1225, 1279, 1545)

Participation in Judicial Proceedings

1522. *Appearance, Fees, and Expenses of Department Employees as Witnesses in Judicial Proceedings. As used in this Regulation, the term "employees" includes temporary and "when actually employed" employees, except that in group "b" where the term is used in connection with employees testifying for the District of Columbia, the term does not include temporary or "when actually employed" employees. The term "judicial proceedings" as used in this Regulation includes proceedings before any Federal, State, or municipal court, grand jury, special master, person, commissioner, commission, or board authorized to conduct hearings or take testimony. Judicial proceedings involving the appearance of Department employees as witnesses will be treated in the following groups:

a. Employees testifying in judicial proceedings arising within the Department or growing out of the violation of laws of a State or subdivision thereof in the enforcement of which employees of the Department have been authorized to assist.

b. Employees testifying for the United States in judicial proceedings not arising within the Department and employees testifying for the District of Columbia in any court proceeding in which the District of Columbia is a party.

c. Judicial proceedings not covered by "a" and "b" above but in which the employee is called upon solely because of and to testify in his official capacity or to produce official records or information, or to testify as an "expert" witness where the value of his testimony arises from knowledge gained in his official capacity.

d. Judicial proceedings not covered by the foregoing groups.

Appearance. In groups "a" and "b", appearance may be made without subpoena. In group "c", appearance may not be made without subpoena. The employee subpoenaed shall promptly notify the chief of bureau stating the names of the parties litigant, the matter in suit, and the nature of the testimony the employee expects to give. Where the chief of bureau deems the production of records or the employee's proposed testimony prejudicial to the public interest, he shall at once refer the matter to the Solicitor of the Department who shall promptly advise whether the employee may be compelled to appear and testify. The chief of each bureau, with the approval of the Secretary, may designate a State, regional, or other supervisory official who reports directly to him as the one the employee may notify, but such delegation of authority will not relieve the chief of a bureau of any administrative responsibility.

In group "d", the Department is not interested in the manner of appearance.

Witness Fees and Expenses of Travel and Subsistence. The terms "fees" and "expenses" are distinct. The first means the amount allowed as pay for attendance; the second, the amount allowed to cover travel and subsistence.

In group "a" no fees are allowable. Expenses of travel and subsistence should be paid from the Department appropriations as in the case of other official travel unless a different arrangement has been made between the cooperating State or subdivision thereof and the Department.

In group "b" no fees are allowable except that temporary and "when actually employed" employees testifying for the District of Columbia

Participation in Judicial Proceedings

1522 (cont.) may accept witness fees. The amount allowed for expenses may be accepted and retained by all employees.

In group "c" fees and expenses should be collected, but all amounts received over and above the amount of actual and necessary expenses, a statement of which must be furnished to the chief of bureau, must be turned into the Treasury as Miscellaneous Receipts.

In group "d" the Department is not concerned with fees or expenses. No account need be rendered.

An employee in a non-pay status who appears as a witness in any judicial proceeding may accept and retain all fees and expenses allowed.

Leave. In groups "a", "b", and "c" no annual leave shall be taken except that under group "b" when a temporary or "when actually employed" employee appears as a witness for the District of Columbia, the absence of such employee shall be charged to annual leave, if available, and if not available, the employee shall be placed in a leave without pay status. In group "d" annual leave, or, if such leave is not available, leave without pay must be taken.

Evidence of attendance as a witness will be required in groups "a", "b", and "c".*

1523. *Jury Service. Any employee of the Department summoned for jury service in any court should appear in accordance with the terms of the summons. However, if the jury service will interfere substantially with the welfare of the Department as regards the duties of the employee, the court should be so informed and requested to excuse the employee. The advice and assistance of the Solicitor may be sought for this purpose.*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1531. Free Distribution. Copies of reports of public hearings and conferences held by the Department may be furnished free to representatives of foreign countries, Federal and State officials.

1532. Sale of Reports. Other persons or organizations interested in securing copies should be referred to the stenographic reporter in cases where the report of hearing is made by contract.

When the report is made by department employees, a charge of 10 cents per page, 8 by 10 $\frac{1}{2}$, double spacing (approximately 250 words), should be made for each page of the report including all accompanying lists of names and other matter embodied in the report, and the proceeds deposited through the disbursing clerk or appropriate fiscal agent of the Department to the Credit of Miscellaneous Receipts.

When the report is printed or typed in single spacing (approximately 500 words to the page), the charge should be at the rate of 20 cents per page.

These rates are applicable whether original or carbon copies are furnished.

1533. * Availability of Information and Records.

1. General Policy.

a. Most records of the Department are "public records" and are therefore available to the public for inspection. However, in some cases, legal restrictions prohibit the Department from making records available for public use. In other instances, where open inspection of the records would be harmful to the public interest, Departmental policy is similarly restrictive. This regulation indicates the records that are not available for public inspection and cites limited conditions under which other records may be made available. These rules are to guide employees in ascertaining which records may not be freely opened for inspection. Should an employee not know the policy on the release of any record, the matter should be submitted to the chief of the bureau.

b. In general, the same rules apply to any information not considered "records," as stated in paragraph 2 e.

c. When it is necessary to deny access to any of the Department's records, employees should make special efforts to explain fully the reasons for such restrictions so that the person denied will recognize that his government is dealing properly and justly with him, and that it is contrary to law or public interest to open the record. Denials of access to records in the course of proceedings shall be handled as provided for in paragraph 2 h. *

REGULATIONS OF THE U. D. DEPARTMENT OF AGRICULTURE

Official Records

1533. (cont. 1)

2. Restrictions on Availability. The following rules shall govern the availability for examination, or the furnishing of copies, of matters of official record of the Department, including those on file with the National Archives:

a. Confidential records. The following records are confidential and shall not be subject to examination, nor shall copies thereof be furnished upon any request except in proper cases from Federal official sources:

(1) All records and reports required by statutes to be held confidential by the Department.

(2) Blueprints of meat slaughtering or meat, poultry or dairy products processing plants and establishments.

(3) Producers' referendum ballots.

(4) Minutes of meetings (except resolutions extracted therefrom) of Boards of Directors of Corporations under administrative supervision of the Department of Agriculture or any of its agencies, State Production and Marketing Administration committees, and county agricultural conservation committees.

(5) Records of audits, other than information with respect thereto authorized by the Secretary of Agriculture or the Boards of Directors of Corporations to be made available * and other than records of audits included under paragraph b(2)(e). *

(6) Reports furnished the Department confidentially by dealers, manufacturers, or associations thereof covering quantities of commodities processed, purchased or sold during prescribed periods and the price paid therefor.

(7) Documents, photographs or maps of other government agencies required to be held confidential under regulations or orders of the other governmental agency.

(8) Personnel investigation reports, investigation or accounting reports made to determine compliance with law or regulations, or reports of inspection operations.

(9) Records of research, experimentation and physical analysis of samples and other materials in the course of investigations, including patent records, prior to publication, release or use of the results thereof.

(10) Records, reports and estimates of crops for consideration and release by Crop Reporting Board prior to formal release.

(11) Charges, complaints and other processes in adjudicative proceedings prior to publication or use.

(b) Records of limited availability. The records enumerated below are of limited availability and information contained therein shall not be

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1533. (cont. 2) disclosed, nor shall a copy thereof be furnished, except * in proper cases upon requests from Federal official sources or * as specifically provided:

(1) Reports and records which by statute may be made available only in suits or administrative proceedings will be available only under the conditions provided for in the statute.

(2) Upon approval of the head of the bureau, agency or branch concerned, based upon the considerations prescribed in paragraph d of this section, the following records shall be available as indicated:

(a) Applications, reports, and like records, together with supporting data and documents, other than those under paragraphs a, b (1), b (2) (c), or b (2) (d) of this section, submitted by an applicant for relief, license, certificate, use, loan, grant or other benefit provided by law or by regulations authorized by law, shall be made available to the person who furnished the record, and also under compulsory process.

(b) Contractual records and other agreement records, together with supporting data, shall be available to the contractor or person supplying the record, and also under compulsory process.

(c) Reports and applications acquired from farmers and handlers of agricultural products, equipment and supplies in connection with conservation programs formulated under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (1936), as amended (16 U. S. Code 590g to 590q), and in connection with control or adjustment programs developed under prior acts of Congress shall be available to the person who furnished the record, and also to other persons properly and directly concerned. When such records are to be used in court or administrative proceedings, an authorized representative of the head of the branch or bureau having custody of the records shall appear and produce such records only if the records remain in the custody of such representative at all times.

(d) Records, reports and applications submitted to central and field offices of the Production and Marketing Administration by farmers, handlers, and processors of the commodities wheat, corn, cotton, tobacco, rice, and peanuts in connection with commodity loan, parity payment, and marketing quota programs pursuant to Title III of the Agricultural Adjustment Act of 1938, as amended (7 U. S. Code 1301-1393), shall be available to the person supplying the data, and also, to the extent deemed relevant by the administrative head of the Production and Marketing Administration branch concerned, in any suit or administrative hearing under Title III of the above named act.

* (e) Records and reports of audits, parts thereof, or information with respect thereto in connection with contractual relations under the jurisdiction of the Production and Marketing Administration may be made available to the contractor or person whose activities form the basis of the *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1533. (cont. 3)

* audit and in the case of audits in connection with the national school lunch program may be made available also to State Educational Agencies. *

(3) Inspection certificates of grade, quality or condition shall be available for examination in accordance with the applicable regulations governing such inspection, and copies thereof may be obtained upon the payment of fees, if any, prescribed therefor (7 Code of Federal Regulations, Subtitle B, ch. I).

(4) Records obtained pursuant to sec. 4 of Federal Reports Act of 1942 shall be released only with the approval of the agency from which the information is obtained.

(5) Reports received under the Commodity Exchange Act or information contained in such reports are only available where relevant in any suit or administrative proceeding pursuant to subpoena.

(6) Records of Farm Credit Administration and of the various corporations under its supervision that are declared confidential in regulations issued by Farm Credit Administration (6 Code of Federal Regulations Part 4) shall be made available to the persons and in the circumstances specified in said regulations.

(7) Personnel records shall not be available except upon the authorization of the Director of Personnel given with due regard for the welfare of the employee concerned and in accordance with the considerations prescribed in paragraph (d) of this section.

(8) Records relating to the business or property of any handler or any person furnished by, or obtained from, such handler or person pursuant to any marketing agreement or marketing order are available as prescribed in 7 Code of Federal Regulations 900.200.

(9) Records relating to the business and property of any person obtained pursuant to the requirements of the Perishable Agricultural Commodities Act of 1930, as amended are available as prescribed in 7 Code of Federal Regulations Part 46.

c. Records in adjudications and formal rule-making proceedings. Records in adjudications and formal rule-making proceedings are on file in the office of the Hearing Clerk, Office of the Solicitor, and shall be made available to persons having a proper interest therein.

d. Records available to properly interested persons. All other records of the Department and of corporations under the administrative supervision of the Department shall be made available if so determined by the administrative head of the bureau, agency, branch, or corporation having custody of same, to persons properly and directly concerned, and in making his determination he shall be guided by the following considerations:

(1) Whether the release of the record will jeopardize future government access to information.

(2) Whether the release of the record at the time is premature and will improperly affect a pending action.

(3) Whether the disclosure of the record will have the effect of hindering free administrative decisions in the same or similar matters in the future.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1533. * (cont. 4)

(4) Whether the purpose for which the record is sought is prejudicial to the public interest.

(5) Whether the record is already otherwise made public, such as reports of public hearings and conferences, recorded maps, plats and documents, records published for the information of the public, and material of a similar public nature.

e. Other information. Any other information expressly or impliedly obtained or received in confidence, or relating to pending cases, or dealing with studies, inspections, or investigations of the Department or its collaborators, or otherwise confidential, shall not be available unless the head of the bureau, agency or branch concerned otherwise determines on the basis of the considerations prescribed in paragraph (d) of this section.

f. Application for examination or copy of records. Except as otherwise provided herein, application for examination of a record or for a copy thereof shall be made to the administrative head of the bureau, agency or branch administering the program relating to the same. Examination of records, where examination is permitted, shall be at times and places convenient to the public business, and copies, when obtainable, shall be furnished at rates established therefor.

g. Authenticated copies. When a request is received for an authenticated copy of a record of the Department which is otherwise available under these rules to the party requesting same, for use as evidence in litigation or otherwise, the administrative head of the bureau having custody thereof shall cause a correct copy to be prepared and sent to the Solicitor who shall certify same and cause the seal of the Department to be affixed.

h. Denial of access to record. The administrative head of the bureau, agency or branch having custody of the record shall give prompt written notice of a denial, in whole or in part, of any written application, petition or other request of an interested party when made in the course of a departmental proceeding, and shall set forth a simple statement of the grounds for such refusal. In any other case, the reasons for refusal shall be available to the applicant. *

1534. Disposition of Records. No records shall be destroyed or otherwise disposed of without obtaining proper authority through the Chief, Office of Plant and Operations.

The word "records" as used in this Regulation means originals or copies of motion-picture or other photographic records in any form whatsoever, sound recordings, correspondence, papers, indexes, maps, charts, plans, drawings, punch cards, tabulation sheets, pictures, etc.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1534. (cont. 1)

1. Transfer of Records to National Archives. Records not frequently needed in the transaction of current business but deemed to be of permanent value or historical interest shall be made available for transfer to the custody of the National Archives for preservation. Recommendations to transfer such records shall be made to the Chief, Office of Plant and Operations.

2. Disposition of Useless Records. Whenever a bureau or office has in its custody an accumulation of records that are not needed in the transaction of current business and that appear to have no permanent value or historical interest, the head of such bureau or office shall submit a report (National Archives Form M-26) stating the location and describing the character of such records. This report shall be submitted to the Chief, Office of Plant and Operations, in quadruplicate and shall be accompanied by samples of the several kinds of records listed therein.

Upon receipt of a House of Representatives Report or a Disposition Authorization of the Archivist authorizing the disposition of records reported, the head of the bureau or office shall dispose of such records by one of the following methods:

- a. If the records are located in Washington, D. C., they should be delivered to the Public Buildings Administration, Federal Works Agency, for disposal as waste paper or for destruction by burning if such records are of a confidential nature. When such records are located in a field office housed in a Federal building, they should be delivered to the Federal building custodian for disposal as waste paper or destruction by burning if they are of a confidential nature.
- b. If the records are located in a field office housed in other than a Federal building, they should be sold upon the best obtainable terms after the publication of notice inviting proposals therefor (if the amount of records accumulated warrants such procedure). All moneys derived from the sale of such records shall be deposited in the Treasury of the United States.
- c. If application has been made to the head of the bureau or office through the Archivist of the United States, the records may be transferred without cost to the United States Government to any

(Continued on next page)

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1534 (cont.) State or dependency of the United States of America or to any appropriate educational institution, library, museum, historical, research, or patriotic organization therein.

When the records have been disposed of, the head of the Bureau or office making such disposition shall submit a written report to the Chief, Office of Plant and Operations, describing the character and volume of such records and a statement of when and by what method the disposition of the records was accomplished. If any of the records were sold, the report shall indicate the amount of money received and the total cost of effecting the sale. If the records were transferred, the report shall indicate the names and the post office addresses of all institutions, associations, or other organizations receiving the records. (Public No. 295, 76th Congress, approved August 5, 1939.) (108, 163, 680, 1296, 1297, 1329.)

1535. Lists of Employees.

1. * Lists of employees shall not be furnished to any person, organization, or firm except on written application to the bureau concerned showing the purpose for which such lists are to be used, and then only when the furnishing of such lists is essential to the conduct of the bureau's work or is necessary in the public interest. This limitation does not extend to official publications or lists of officials available for public use.
2. Lists of employees may not be furnished for purposes of political solicitation. *

1536. Lists of Manufacturers, Farmers, Etc. No list of names of farmers, business men, or firms, which may be available in the Department, shall be given directly or indirectly to any person, firm, or association unless the furnishing of such lists is a necessary part of the official work of a bureau or unless authorized by the Director of Information.

When lists of manufacturers, dealers, breeders, etc., are furnished correspondents, it should be clearly indicated that the inclusion of names does not imply the Department's endorsement of certain firms to the possible detriment of others, or that the lists necessarily include all dealers in a certain line. (See also Regulation 1215.)

1537. Disposition of Surplus - Useless Publications. All public documents accumulating in the several bureaus and offices not needed for official use shall be annually turned over to the Superintendent of Documents for distribution or sale. (Jan. 12, 1895, c. 23, § 67, 28 Stat. 611; 44 USC, Sec. 78) (1971)

1538. Preservation of Leave Records. All offices shall preserve original leave applications for a period of not less than three years and Form AD-50, "Record of Annual Leave," for a period of not less than five years. At the expiration of these periods these records may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2).

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Official Records

1539. Preservation of Accounting Records. Chiefs of the various bureaus and offices shall determine the accounting and fiscal records to be maintained in their accounting offices in Washington, D. C. When retention of these records and supporting documents is no longer necessary, they may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2).

Bureau chiefs may also determine the accounting records to be maintained at each field station, office, or other point at which Departmental work is conducted through the year, but these records must include, copies of the following, which shall be retained for a period of at least five years:

1. Copies of all purchase vouchers issued at that point and of supporting documents, including purchase orders, requisitions, copies of vendors' invoices unless purchase is itemized on voucher, and receiving records;
2. Copies of all payroll vouchers prepared by the station or office and of supporting documents, including time reports and time books;
3. Copies of all records and supporting documents pertaining to collections of funds including receipts, records of transmittal, certificates of deposit, and coupons, certificates, or other documents which form the basis for collections;
4. Copies of all records relating to sales, exchanges, or disposition otherwise of surplus products or materials, including prenumbered sales slips, production records, approved exchanges, correspondence relating to exchanges, etc.

After retention for five years, these field records may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2). They shall be maintained accurately, shall be kept current at all times, and shall be kept in systematic order for auditing purposes.

No account or record shall be withdrawn from the files nor shall copies be furnished to any person unless approved by the official in charge of the station or office.

The accounts and records of those field stations or offices which are operated only a part of the year shall be forwarded to the bureau in Washington or to some other designated office in the field for safekeeping at such times as the official in charge believes desirable.

When a bureau chief desires to retain any accounting records in either the Washington, D. C., offices of the bureau or in the field for a period longer than five years and such retention necessitates the provision of additional space for files, the Chief of the Office of Plant and Operations may request from the bureau a brief report showing the necessity for keeping the files, including an estimate of the period of time for which their retention is judged to be necessary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Conduct

1541. Personal Conduct.

1. * It is the duty of employees of the Department to serve the people well and faithfully, under the Constitution and the laws of the United States, and to administer these laws and the work of the Department impartially, efficiently, and in accordance with the public interest. *
2. Employees shall not at any time conduct themselves in a manner which might cause embarrassment to or criticism of the Department or interfere with the efficient performance of their duties. For example, employees of the Department whose duties require the enforcement of laws or regulations or who are in a position to award or influence the award of business or to * take or influence the taking of any other official action which may affect, favorably or unfavorably, any person, firm, or corporation should not accept from any such person, firm, or corporation * any favor, gift, loan, unusual discount, gratuitous service, * entertainment, * or other thing of value; nor should any employee of the Department give or use information acquired by means of his official position to advance the interests of himself, his family, his business associates, or his personal friends over those of other persons. * Acceptance of courtesies commonly extended, such as luncheon or dinner, is not intended to be prohibited; however, before accepting even such a courtesy, employees should satisfy themselves that it would not result in embarrassment to the Department or to themselves. * (See also Regulations 1545, 1549, 3317.)

1542. Political Activity. All officers and employees of the Department will be governed with respect to political activity by Personnel Circular No. 84, issued by Direction of the Secretary January 16, 1940, and any revisions thereof issued from time to time. References in Personnel Circular No. 84 to this regulation should be ignored.

Revised 8-6-46 (Amendment 223)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Conduct

1543. Gifts or Favors from Subordinates Prohibited. No employee in the Department shall at any time solicit contributions from other employees in the Department for a gift or present to anyone in a superior position; nor shall any such official or clerical superior receive any gift or present offered or presented to him as a contribution from persons in the employ of the Department receiving a less salary than himself; nor shall any officer or clerk make any donation as a gift or present to any official superior. (109)

No employee of the Department shall place himself under obligation to a subordinate employee by borrowing money, directly or indirectly, from such subordinate employee, or by obtaining the signature of a subordinate employee as endorser or co-maker of a note issued as security for a loan.

1544. Confidential Information. All verbal or written information of a confidential nature which may come to the knowledge of an employee must be neither disclosed nor discussed with any person or persons except when their respective official duties make such information a proper subject for discussion.

Whenever in a private litigation, the value of the testimony of an employee of the Department arises from the knowledge gained in an official capacity such employee shall not agree to appear as an "expert" witness unless the nature of the testimony it is proposed to give meets the approval of the chief of the bureau in which such employee is employed or of the bureau in which the knowledge was gained.

Following the close of a public hearing with respect to the proposed issuance of an order, regulation, or other administrative determination, and prior to the issuance by the Secretary of such order regulation, or other administrative determination, no officer or employee of the Department shall, without the written permission of the Secretary, discuss the subject matter of the hearing, or any matter relating thereto, with any interested person or with any representative of an interested person: Provided, however, that this Regulation shall not preclude an officer or employee who has been duly assigned to, or who has supervision over, a proceeding from discussing with interested persons or their representatives matters of procedure in connection with such proceeding.

1545. * Speculation.

1. General. No officer or employee of the Department shall participate directly or indirectly in any transaction concerning the purchase or sale of corporate stocks or bonds, commodities, or other property for speculative purposes, if such action might tend to interfere with the proper and impartial performance of his duties or bring discredit upon the Department. Officers and employees are not prohibited by this paragraph from making bona fide investments. *

Conduct

1545. (cont.) * When an officer or employee is uncertain as to whether a contemplated transaction is prohibited by this paragraph, he should consult his immediate superior.

2. Speculation in Agricultural Commodities. Because of the possible effect of certain Department programs on market prices and futures trading, speculation, either direct or indirect, in any agricultural commodity is wholly prohibited in the case of officers and employees of the Department concerned in any way with the administration of acts regulating trading in commodities for future delivery, programs for the purchase or sale of commodities, price support programs, commodity loan programs, or other programs which directly affect market prices of agricultural commodities. (See also Regulation 1441)

3. Statutory Provisions.

a. Sugar Act. "No person shall, while acting in any official capacity in the administration of this Act [the Sugar Act of 1937, as amended] invest or speculate in sugar or liquid sugar, contracts relating thereto, or the stock or membership interests of any association or corporation engaged in the production or manufacturing of sugar or liquid sugar. Any person violating this section shall upon conviction thereof be fined not more than \$10,000 or imprisoned not more than two years, or both." (630-114)

b. Marketing Agreement and Crop Insurance Acts. It is unlawful for any person while acting in any official capacity in the administration of the Agricultural Marketing Agreement Act or the Federal Crop Insurance Act, as amended, to speculate, directly or indirectly, in any agricultural commodity or product thereof to which these acts apply, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing of any such commodity or product. Violation of this provision is punishable by a fine of not more than \$10,000 or imprisonment for not more than two years, or both. (630-21, 630-220)

c. Farm Credit Administration. It is unlawful for any officer or employee of the Farm Credit Administration to speculate directly or indirectly in any agricultural commodity or product thereof, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing of any such commodity or product. Violation of this provision is punishable by a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both. (638-291)

Speculation on Information Required to be Withheld Until a Fixed Time. (See Regulation 1441, paragraph 5 c, which applies to all officers and employees of the Department and which prohibits speculation on information required to be withheld from publication until a fixed time.) (See also Regulation 1541) *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Conduct

1546. Indebtedness; Action on Complaints

1. The Department will not permit itself to be used as a collection agency for debts owed by its employees, but it will not consider as a fit employee anyone who without adequate reason fails to pay just debts contracted by him. When a debt complaint is received by the Department, it will be referred for acknowledgment to the bureau in which the employee concerned is located. The appropriate bureau official shall obtain a written report from the employee against whom the complaint has been made which, together with the letter of complaint, shall be made a part of the employee's official record in the bureau. Every effort shall be made in the bureau to arrive at a mutually satisfactory solution of the matter, and in those cases where the chief of bureau finds that the debt is a just one and that the employee is financially able to liquidate it, either by a lump-sum payment or by installment payments, he shall notify the employee to that effect and instruct him to make a satisfactory settlement.
2. If the employee fails to comply with such instructions, the chief of bureau shall recommend to the Secretary such disciplinary action as he may deem appropriate. If the validity of the debt is questionable or the employee proves to the satisfaction of the chief of bureau that he is financially unable to liquidate the indebtedness or to make any payments thereon, the appropriate bureau official shall notify the creditor accordingly.
3. In cases where the debt has been reduced to a judgment, the employee concerned will be required to satisfy the judgment unless he can arrange to have it modified or set aside, or unless he can convince the chief of bureau that the circumstances are such that he should not be required to do so.
4. Creditors or collectors will be denied access to employees for the purpose of presenting or collecting claims while the employees are on official duty.

Revised 1-8-44 (Amendment 179)

Conduct

1548. **Outside Work.** No employee of the Department shall perform or be engaged in any work on his own behalf or for private individuals, firms, companies, organizations, or institutions:

1. If the outside work will prevent the employee from rendering full time service to the Department.
2. If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure his health or to prevent him from doing his best work during official hours.
3. If the work to be done in a private capacity may be construed by the public to be the official acts of the Department, except that employees of the Department may permit the use of their names and titles as by-lines on articles which they prepare for publication by farm magazines and other periodicals, provided that the articles have been prepared and approved in accordance with the provisions of other Department Regulations.
4. If the business connections to be established or property interests to be acquired may result in a conflict between the private interest of the employee and his official duty or tend to bias his judgment.
5. If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.
6. If such employment may tend to bring criticism on the Department or cause embarrassment.
7. If the work relates to a written discussion of policies or official work of the Department except as authorized by these Regulations.
8. If the work involves teaching, except as permitted by the provisions of Personnel Circular No. 80 and any supplements thereto which have been or may be issued from time to time by the Director of Personnel.
9. If the work involves participating in the establishment of any general farm organization; acting as organizer for any such general farm organization, or holding any other office therein; acting as financial or business agent for any general farm organization; or participating in any way in any membership campaign or other activity designed to recruit members for any such organization. (This provision shall be construed in accordance with Secretary's Memorandum No. 893.)
10. If the work involves the acceptance by the employee of office in, or the granting of permission to use his name in the advertising matter of, organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 123

April 16, 1941

There appears on the reverse of this page a revision of Department Regulation 1548, entitled "Outside Work," which is promulgated effective immediately.

Paragraph 3 has been changed to permit employees of the Department to use their names and titles as by-lines on articles published in farm magazines and other periodicals. A paragraph dealing with the activities of Department officers and employees with relation to general farm organizations has been added. The provision relating to teaching has been changed to include a reference to Personnel Circular No. 80 and supplements thereto, issued by the Director of Personnel. The provision dealing with the relation of employees to organizations commercializing the results of research work conducted by the Department has been rephrased.

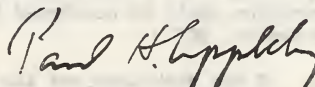
No change in the Table of Contents is necessary. The following changes should be made in the Index:

Deletions:

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Additions:

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Commercial **organizations**, relations of employees - - - - - 1548
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Acting Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Conduct

1549. * Interested Persons Not to Transact Government Business.
No officer, employee, or agent of the United States shall transact business of the Government with any corporation, joint stock company, association, or firm if he is an officer or agent of such corporation, joint stock company, or association or if he is a member or agent of such firm, or is directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint stock company, association, or firm. This is a statutory provision, violation of which is punishable by a fine of not more than \$2,000 and imprisonment for not more than two years. (1235) (See also Regulations 1582 and 3317, "Personal Interest in Contracts.") *

Revised 3-11-46 (Amendment 217)

PUBLIC HEALTH PROTECTION

1551. Employees Afflicted with Contagious Disease.— Any employee afflicted with a contagious disease, or who resides in any dwelling in which a contagious disease exists, is prohibited from entering any building of the Department until a satisfactory medical certificate has been presented to the appropriate administrative officer of the Department.

1552. Pulmonary Tuberculosis.— Whenever an employee is known or believed to be afflicted with pulmonary tuberculosis, the case shall be brought to the attention of the director of personnel of the Department, who will prepare an order for the employee to present himself or herself to the Public Health Service for examination, and to submit to the Department from the Public Health Service a certificate showing the result of the examination. If the Public Health Service reports that the employee examined is suffering from pulmonary tuberculosis, the case shall be handled as circumstances may require, by a temporary separation from the service, segregation of the employee, or otherwise.

1553. Employees Injured in Performance of Duty.— The United States Employees' Compensation Commission undertakes to distribute its regulations, circulars, and lists of physicians to all branches. Officials of the Department responsible for handling the cases of employees injured while in the performance of duty, both in the District of Columbia and in the field, shall keep posted as to the requirements of the commission, and locate from the commission's lists, copies of which should be secured direct from the commission if not already on hand, the designated physicians and hospitals. Changes in the lists of designated physicians will be reported to all branches by the Compensation

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 23, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 73.

A revision of regulation 1552, entitled "Pulmonary Tuberculosis," appears on the reverse side of this sheet. The primary reason for this revision is that the regulation relates to a personnel problem, and, therefore, the administration of same should come under the jurisdiction of the director of personnel.

The provisions of the regulation, as revised, are promulgated effective immediately.

Inasmuch as this subject has been included in the Table of Contents and the Index, no addition need be made to these sections.

W. L. Wilson

Acting Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Public Health Protection

1553 (cont.) Commission. The official superior's responsibility does not end until a designated physician has charge of the case.

2. In all cases of injury where the emergency is such as to require it, any physician licensed to practice medicine and surgery under the State law may be called for first aid treatment, but further treatment, if required, must be obtained from a United States medical officer or hospital if practicable, otherwise from a "designated" physician, if there is one.

1554. Emergency Medical Attendance in the District of Columbia.

* (Canceled February 16, 1944. Instructions with regard to emergency medical treatment for employees in the District of Columbia are to be found in Personnel Circular No. 76 (Revision I).) *

1555. * Transportation of Injured Employees *

1. * Transportation Allowable. The United States Employees' Compensation Commission is authorized by law to make reimbursement for expenses incurred in the transportation of United States employees injured in the performance of official duty, or of the bodies when such injury causes death. The rules and regulations governing such reimbursements are found in the regulations and other published materials of the Commission, but for the general information and guidance of employees of the Department, some of the principal items allowable are summarized here.

a. Injured Employees. An employee who is injured while performing his official duties may be furnished with the means of obtaining transportation and may be reimbursed for expense incident to securing treatment of a condition resulting from injury, when examination or treatment is authorized in accordance with the provisions of the Compensation Act and the regulations of the United States Employees' Compensation Commission, and such expense, in the opinion of the Commission, is necessary and reasonable. Reimbursement may also be made for traveling expenses of an attendant when, in the opinion of the Commission, it has been shown that an attendant is necessary. (259)

b. Deceased Employees. If, within six years from the date of injury, an employee whose home is in the United States dies while away from his official station or outside the United States, as a result of injuries received in the performance of official duty, the United States Employees' Compensation Commission is authorized to make reimbursement for the necessary and reasonable expenses for transporting the remains of the employee to his home. This is in addition to the payment of reasonable burial expenses, not to exceed \$200. When required for transportation of the body, expenses for embalming and for a hermetically sealed casket may also be authorized. Reimbursement will not be made for Pullman, subsistence, or other expenses of a person traveling on a ticket issued for corpse escort. (261) *

2. * Use of Government Forms to Secure Transportation. Government transportation requests or bills of lading may be used to provide for transportation of employees injured in the performance of official duty or of their bodies when death is the result of such injury. Claims for reimbursement of transportation expenses properly allowable by the Commission are in no way prejudiced by failure to use Government transportation forms.

a. Injured Employees. Transportation requests, when used to provide for the transportation of an injured employee or his

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Public Health Protection

1555 (cont.) attendant, should contain instructions to bill the United States Employees' Compensation Commission, 285 Madison Avenue, New York, N. Y. The name of the injured employee must be noted on requests and on memorandum copies so that the compensation case can be identified.

Transportation requests shall not be used to provide transportation in cases of illness or occupational disease. In such cases, accounts for expenses incurred should be submitted to the Commission for consideration in connection with the claim for compensation.

b. Deceased Employees. Authority must be secured from the United States Employees' Compensation Commission for the use of Government transportation requests or bills of lading for the transportation of an employee's remains to his home. A sufficient statement of the facts should be furnished the Commission showing that such transportation is necessary and desirable and providing information as to when, where, and under what circumstances the employee was injured, place of death, distance from place of injury to place where death occurred, official station, home, and whether the employee's relatives have requested the transportation of his body to his home. Official reports on Forms C.A. 2 and C.A. 3 should be forwarded to the Commission immediately in all cases of death.

If transportation of the remains is authorized by the Commission, a Government bill of lading with instructions to bill the United States Employees' Compensation Commission, 285 Madison Avenue, New York, N. Y., may be used for transportation by express. If express shipment is impossible, or if a relative desires to accompany the body, the remains may be transported as baggage on a transportation request issued to cover the two fares required, with billing instructions as indicated above. *

1556. Smoking.

1. Smoking is prohibited in any room used for the storage of stationary, supplies, and chemicals, or in any room containing explosives or other highly inflammable materials, or in any room or place in any building which is not constantly occupied and under the observation of employees of the Department, or in any room where smoking would endanger public property or interfere with the transaction of public business.

2. Chiefs of bureaus are authorized to make such additional rules with regard to smoking by employees under their jurisdiction as will safeguard public property and avoid interference with the performance of official duties. "No smoking" signs should be displayed in conspicuous places where necessary.

PATENTS

1561. Issue of Patents to Employees.- All inventions made by employees of this Department in any wise connected with the work of the Department, that is to say which involve subject matter within the scope of the Department's activities, are required to be submitted to the Secretary, who will determine what steps shall be taken in order that the interests of the Government and the employees concerned may be adequately protected. The submission shall contain a description of the invention or discovery and a disclosure of the circumstances under which the invention was made. If it is decided to file a patent application such application will be filed under the provisions of the act of March 3, 1883, as amended by the act of April 30, 1928.

If the invention involved is found to be within the specifically assigned duties of an employee he will be required to dedicate it to the public or, in the event it is desired to retain administrative control of the subject matter in the Department, such invention will be assigned to the Secretary of Agriculture. When an invention does not come within the scope of employment of the inventor-employee and where the subject matter is of interest to the Government, a patent application will be filed through the Department, under which the Government retains or obtains a shop right or right of free use and all other commercial rights remain in the inventor.

Where appropriated funds have been used in the making of inventions by employees of the Government under a specific work assignment, the use of such discoveries shall be secured to the Government and to the people of the United States who have supplied the means to conduct the necessary experiments through the medium of

Patents

taxation, without the payment of royalties. This Department has authority only to grant nontransferable, nonexclusive, revocable licenses. (1776)

1562. Requests to Patent Office for Expediting Issuance of Patents.- Bureaus receiving communications from persons outside of the Department requesting that the Commissioner of Patents be asked to expedite consideration of applications for letters patent pending before him shall, before taking any further action in the matter, call upon the person making the request for a complete description of the article or process and its uses, together with the serial number of the application for patent. Upon receipt of this information the bureau interested shall determine whether the article or process, if patented, will be of peculiar importance to the Department, or to the agricultural industry, and whether the immediate consideration of the application and issuance of the patent will be of advantage to the Department in the prosecution of its work.

A full report should be made by the chief of bureau to the Secretary. If the facts warrant, the necessary action will be taken looking to the immediate consideration of the application in question, and an employee of the Office of the Solicitor will be designated to represent the Department before the Commissioner in order to prevent improper issue of the patent, in accordance with rule 63 of the rules and practice in the United States Patent Office. (1775)

1563. Aid to Commissioner of Patents.- For the purpose of aiding in the issuance of plant patents the Secretary may (1) furnish the Commissioner of Patents information available in the Department; (2) conduct through the appropriate bureau or division such research upon special problems; (3) detail to the Commissioner of Patents such officers and employees of the Department as the Commissioner may request.

The first of the year was a very successful one for the school. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The second of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The third of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The fourth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The fifth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The sixth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The seventh of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The eighth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The ninth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The tenth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results. The eleventh of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Miscellaneous

1571. * Uniformity in Signs, Building Directories, Etc.

1. On signs, building directories, lettering on doors or windows, etc., identifying the location of offices and activities of the Department (elsewhere than in the District of Columbia), the words "U. S. Department of Agriculture" shall come first in letters not smaller or less conspicuous than are used for any other wording. Exceptions to this policy may be made only when clearly justified by special circumstances and when authorized by the Chief, Office of Plant and Operations. Such signs, directories, etc., shall be kept current.

2. This regulation does not apply to signs identifying activities carried on cooperatively with a State agency. *

1572. Identification Cards. Identification cards may be issued by authorized bureau officials and shall be issued to employees who request them. The standard Department of Agriculture identification card, Form AD-54, should be used. However, in the case of employees working intermittently or for short periods, cards may be issued at the discretion of bureau officials. When an employee to whom an identification card has been issued leaves the service of the bureau, the card should be recalled by the issuing office for cancellation, in order to prevent possible misuse.

Revised 5-16-47 (Amendment 243)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Miscellaneous

1573. Membership in Military or Naval Organizations

1. Employees of the Department are authorized to accept appointments as officers in the Army of the United States, Naval Reserve, or Marine Corps Reserve, provided such appointments are approved by the chief of the bureau, or office concerned, or by such officer or officers as he may designate for the purpose. Before refusing to grant such approval, bureaus and offices shall secure the concurrence of the Director of Personnel.

2. No restrictions are imposed by the Department on membership in other Federal or State military or naval organizations.

1574. Official Badge

1. Official badges of this Department may be issued to employees for identification purposes only.

2. Bureaus will purchase from their appropriations such badges as may be necessary to meet their requirements, but before placing any order for dies a drawing of the proposed badge will be submitted for approval to the Chief, Office of Plant and Operations, together with specifications describing material, size, shape, and insignia.

3. * Each bureau shall maintain records of the distribution of its badges, showing the name of each employee who has a badge. Badges must be returned when employees leave the service of the bureau or for any other reason are no longer entitled to wear them. *

1575. Display of Advertising Matter. The display of advertising matter in offices and laboratories of the Department, including advertising calendars, is prohibited.

1576. * Articles Lost or Found. Personal articles found in Department buildings or premises in the District of Columbia are to be delivered to the Guard Office. Persons who lose such articles should notify the Guard Office. If there is any reason for suspecting theft, the matter should be reported at once to the Office of Plant and Operations. *

1577. Contributions; Peddling; Soliciting

1. * Circulation of subscription lists, or other methods of soliciting or collecting voluntary contributions from employees in the Department in Washington, will not be permitted unless prior approval is granted in writing by the Director of Personnel. At field stations or offices, the consent of the head of the station or office must be secured before the solicitation or collection of contributions may be made. This regulation does not apply to voluntary donations by groups of employees for the purchase of gifts or flowers in the case of the marriage, illness, death, retirement, etc., of a fellow employee. * (See, however, Regulation 1545, "Gifts or Favors from Subordinates Prohibited.")

2. * Peddling and canvassing by all persons whatsoever are prohibited in all offices and buildings of the Department, wherever located. The distribution of handbills and sale of tickets, by employees of the Department, is permitted provided such action is directly related to employee activities sponsored or authorized by the administrations, bureaus, or offices of the Department.

Continued next page
Revised 4-25-44 (Amendment 185)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Miscellaneous

1577 (cont.) Employees in charge of rooms will see that this Regulation is strictly enforced. In Washington, violations of this Regulation should be reported immediately to the Office of Plant and Operations. At field stations or offices the Custodian of the building should be notified. (See also Personnel Circular No. 123, dated August 26, 1942.)

1578. Analyses for Private Parties Prohibited. Unless otherwise provided for by law, the Department will make no examinations, tests, or analyses of waters, soils, fertilizers, foods, chemicals, insecticides, proprietary articles or materials, or other miscellaneous products for private parties.

1579. * Representation Before Federal Agencies. *

1. Representation Before the Department of Agriculture.

a. In any proceeding before the Department, the parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity at a hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. Whenever the Secretary finds, after notice and opportunity for hearing, that a person who is acting or has acted as counsel or representative for another person in any proceeding before the Department is guilty of unethical conduct, he will order that such person be precluded from acting as counsel or representative in any proceeding before the Department.

b. * No former officer or employee of the Department shall be permitted to represent any person before the Department in connection with any particular matter as to which by reason of his employment he acquired personal knowledge of such a nature that it would be improper, unethical, or contrary to the public interest for him so to act. *

c. The foregoing shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

2. * Statutory Provisions Relating to Representation Before Federal Agencies Generally. *

a. * Claims, etc.

(1) Officers and employees of the Federal Government are prohibited from:

(a) prosecuting, or acting as counsel, attorney, or agent for prosecuting, any claim against the United States, or in any way, otherwise than in the discharge of their official duties, aiding or assisting in the prosecution or support of any such claim, or receiving any gratuity or share in the claim therefor. (1279, 58 Stat. 649.)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Miscellaneous

1579 (cont.)

(b) directly or indirectly receiving or agreeing to receive any compensation whatever for any services rendered or to be rendered to any person, either by themselves or others, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever. (1282)

Officers and employees engaged in settlement of contracts under the Contract Settlement Act of 1944 may, as part of their official duties, advise and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters. (58 Stat. 649) *

(2) * Former officers and employees of the Federal Government are prohibited, for a period of two years after termination of employment, from:

(a) acting as counsel, attorney, or agent for, or in any way aiding in, prosecuting any claim against the United States which was pending in any Federal agency while they were serving as such officers or employees. (97)

(b) prosecuting, or acting as counsel, attorney, or agent for prosecuting, any claim against the United States involving any subject matter directly connected with which such person was so employed or performed duty. (58 Stat. 649) *

b. * Surplus Property. No person employed by any Government agency shall, during the period such person is engaged in such employment or service, or for a period of two years after the time when such employment or service has ceased, act as counsel, attorney, or agent, or be employed as representative, in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if such person during his employment with such agency ratified, approved, or authorized the disposition of any surplus property pursuant to the provisions of the Surplus Property Act of 1944 or recommended any such approval, authorization, or ratification as part of his official duties. (58 Stat. 765) *

c. * The provisions of paragraph 2 of this Regulation are taken from statutes which provide for fines up to \$10,000 or imprisonment up to two years for violation. Subparagraphs a (1) (a), a (2) (b), and b of Paragraph 2 are specifically applicable to commissioned officers assigned to duty in any Federal agency. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Miscellaneous

1580. Projects Not to Be Named After Living Persons. No undertaking or project of the Department, such as a research laboratory, national forest, resettlement project, building, farm, or station, shall be named after any living person, except as otherwise provided by law.

1581. Damage to Personal Property. The Department will not be responsible, except where reimbursement is otherwise authorized by law, for any loss, inconvenience, or injury which an employee may suffer as a result of his placing any personal property in or on the official premises of the Department. Any such action by an employee shall not in any way restrict or prejudice official use of or access to property owned or controlled by the Department.

* 1582. Interested Persons Not to Be Assigned to Regulatory or Investigational Work. No officer or employee of the Department shall be assigned to investigate or to conduct any regulatory work directly affecting any corporation, company, firm, association, or organization in which he has a financial or other interest. Any officer or employee having a financial or other interest in any corporation, company, firm, or association directly affected by his work shall give written notice of such interest through his immediate superior to the chief of his bureau. (See also Regulation 1549.) *

Revised 3-11-46 (Amendment 217)

DEPARTMENT CORRESPONDENCE

1611. Department Style Manual. Employees responsible for the preparation of correspondence shall follow the specific rules given in the Department Style Manual.

1612. Preparation of Letters for Signature in the Office of the Secretary.

1. Prompt Reply Required. Replies to letters received in the bureaus or referred to them by the Secretary's Office, shall be made within three days after receipt in the Department. If for any reason a complete reply cannot be made within that time, an acknowledgment letter stating approximately when a complete reply will be made shall be prepared.

A designated employee of each bureau shall be responsible for recording all letters referred by the Secretary's Office for the preparation of a reply, for conducting a systematic follow-up within the bureau, and for reporting to the Secretary's files on those that cannot be answered within the required time.

2. Letters to Other Departments and Agencies. Letters originating in this Department, to the heads of executive departments, independent establishments, or other Government agencies shall be prepared for the signature of the Secretary if matters of policy or questions of considerable importance are involved, or for the signature of the appropriate director if the letter relates to routine matters.

Replies to letters addressed to this Department by another department or agency shall be prepared for the signature of the official indicated on the pink jacket. (See Department Style Manual.)

In general, replies to letters received from an Acting Secretary or an Assistant Secretary should be addressed to the Secretary of the Department involved and not to the Acting or Assistant Secretary who signed the incoming letter.

All communications from this Department to the Office of Government Reports relating to proposed State legislation shall be addressed to the Director of the Office of Government Reports for the signature of the Secretary. (See also Regulation 2111.)

1613. Clearance of Letters and Official Documents. The following instructions pertain to letters and official documents which are for signature in the Office of the Secretary.

1. Proposed Legislation. All requests for recommendations of, or reports on, proposed legislation shall be referred to the Director of Finance for transmission to the Director of the Bureau of the Budget before being finally transmitted to Congress. (See also Regulation 1423.)

2. Letters to Comptroller General. All letters to the Comptroller General shall clear through the Office of the Solicitor and the Office of Budget and Finance for initialing before being submitted to the Secretary for signature. (See also Regulation 3111.)

3. Legal Matters. Letters involving legal matters prepared for signature by the Secretary shall be referred to the Solicitor for initialing before transmittal to the Secretary's Office.

DEPARTMENT OF AGRICULTURE
WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 124

April 24, 1941

A revision of Regulations 1611, 1612, 1613, and 1614 on Department Correspondence appears on the reverse of this and the succeeding sheet. The changes consist in the rearrangement of the Regulations and the deletion of material now included in the Department Style Manual.

This amendment supersedes Amendment No. 44, dated September 14, 1937, and is promulgated effective immediately.

The following changes should be made in the Table of Contents and in the Index:

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- Changes: 1611. From "Letters for Signature of the Secretary" to "Department Style Manual"
1612. From "Letters for Signature of Chiefs of Bureaus" to "Preparation of Letters for Signature in the Office of the Secretary"
1613. From "Prompt Attention to Correspondence" to "Clearance of Letters and Official Documents"

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Paul H. Huppel

Acting Secretary.

Department Correspondence

4. Initia'ing Letters. The initials of the chief, acting chief, or other authorized official of all bureaus or offices concerned shall be written in ink or indelible pencil in the lower right corner of the last page of the salmon copy. Others to whom such letters may be referred by the Secretary's Office shall also initial in the lower right corner of the salmon copy.

5. Initialing Official Documents. When contracts, fiscal papers, and similar documents for which salmon copies are not prepared, are submitted to the Secretary for signature the initials of the chief of bureau or other authorized bureau official shall appear on the document itself immediately below the line upon which the Secretary will sign.

1614. Cooperation in Correspondence Pertaining to More than One Bureau. A request for information concerning the technical work or administrative policies of more than one bureau shall be answered by the receiving bureau regarding its own work, with a statement indicating the other bureau or bureaus to which the letter is being referred for further reply. The reference to each bureau concerned shall include the original or a copy of the correspondent's inquiry together with copies of the replies of all other bureaus in order that the bureau to which reference is made may be informed of the action already taken.

When the matter to be dealt with by another bureau is of minor character it is ordinarily sufficient for the bureau receiving the inquiry to secure the necessary information from the other bureau by telephone or in such other informal way as will insure dispatch in order that the correspondent may be given a complete reply promptly. (See also Regulation 1613, paragraph 4.)

CONFIDENTIAL

The following information was obtained from a confidential source who has provided reliable information in the past. It is being provided to you for your information only. It is not to be used for any other purpose. It is not to be discussed with anyone else. It is not to be used in any way that would reflect unfavorably on the source or the person providing the information.

The information was obtained from a confidential source who has provided reliable information in the past. It is being provided to you for your information only. It is not to be used for any other purpose. It is not to be discussed with anyone else. It is not to be used in any way that would reflect unfavorably on the source or the person providing the information.

The information was obtained from a confidential source who has provided reliable information in the past. It is being provided to you for your information only. It is not to be used for any other purpose. It is not to be discussed with anyone else. It is not to be used in any way that would reflect unfavorably on the source or the person providing the information.

The information was obtained from a confidential source who has provided reliable information in the past. It is being provided to you for your information only. It is not to be used for any other purpose. It is not to be discussed with anyone else. It is not to be used in any way that would reflect unfavorably on the source or the person providing the information.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Department Correspondence

1615. Communication with Extension Agents. *Subject to the provisions of Regulation 1616,* all questionnaires, requests for statistical information, and like matters involving the use of the extension system shall be handled through the Director of Extension Work. This office, in cooperation with the State agricultural colleges, shall represent the Department in the development and conduct of the extension work and will cooperate with the bureaus of the Department in all matters that may be properly taken up with the extension agents.

1616. *Approval of Questionnaires and Other Inquiries.*

1. *Statement of Policy. The Federal Reports Act of 1942 states that it is "the policy of the Congress that information which may be needed by the various Federal agencies should be obtained with a minimum burden upon business enterprises (especially small business enterprises) and other persons required to furnish such information, and at a minimum cost to the Government, that all unnecessary duplication of efforts in obtaining such information through the use of reports, questionnaires, and other such methods should be eliminated as rapidly as practicable; and that information collected and tabulated by any Federal agency should insofar as is expedient be tabulated in a manner to maximize the usefulness of the information to other Federal agencies and the public." (Section 2,)*

2. *Definitions. In this regulations:

The term "person" means any individual, partnership, association, corporation, business trust, or legal representative, any organized group or persons, any State or Territorial government or branch thereof, or any political subdivision of any State or Territory or any branch of any such political subdivision.

The term "plan" means any requirement that any person establish or maintain records for the purpose of providing information, or any requirement respecting the completion, answering, or return of a report form.

The term "report form" means any application form or other administrative form, schedule, questionnaire, letter, telegram, or other similar device used in collecting information, including schedules or other forms used in oral interviews.*

3. *Approval of Questionnaires, etc.

a. No agency of the Department shall collect or sponsor the collection of information, upon identical items, from ten or more persons (other than Federal employees considered as such) unless the plans and report forms to be used in such collection have been approved by the Chief of the Bureau of Agricultural Economics. Material changes in plans or report forms or in their use, including material changes in the kind or amount of information sought, the number or classes of respondents, or the time or frequency of reporting, shall also be submitted to the Chief of the Bureau of Agricultural Economics for approval. Approval may be withdrawn if circumstances warrant.

b. Report forms which call for information of an identical nature from agencies, employees, or instrumentalities of the Federal Government, which is to be used for statistical compilations of general public interest, including compilations showing the status or

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Department Correspondence

1616 (cont.) Implementation of Federal activities and programs, are to be submitted to the Chief of the Bureau of Agricultural Economics for transmission to the Division of Statistical Standards, Bureau of the Budget.

c. The Chief of the Bureau of Agricultural Economics shall transmit to the Division of Statistical Standards, Bureau of the Budget, plans and report forms which he has approved under paragraph 3a, as well as the report forms referred to under paragraph 3b. Plans and report forms required to be transmitted to the Division of Statistical Standards may not be used unless they bear an unexpired Bureau of the Budget approval number.

d. Three copies of the plans or report forms for which approval is requested shall be submitted to the Chief of the Bureau of Agricultural Economics, together with three copies of Budget Bureau Form 37 (Revised) and of the statements required thereby. The Chief of the Bureau of Agricultural Economics may require such other information as he finds necessary.*

4. *Matters to be Considered in Giving Approval.

a. Before approving a plan or report form, under paragraph 3, the Chief of the Bureau of Agricultural Economics shall determine:

(1) That the proposed inquiry is justified, taking into account, on the one hand, the burden on respondents and, on the other hand, the need for collection of the information.

(2) That the information will be utilized.

(3) That the number of respondents, frequency of collection, number and difficulty of items, and other requirements, cannot well be reduced.

(4) That adequate information is not already available in the Department or in other government agencies or in process of collection.

b. Before giving or withholding approval, the Chief of the Bureau of Agricultural Economics shall discuss the proposed plan or report form with other agencies of the Department which may be concerned.

c. As a condition of approval, the Chief of the Bureau of Agricultural Economics may require that additional items of information be collected, if this will make it unnecessary to make an additional inquiry or inquiries at a later date or if there is other adequate justification.*

5. *Review of Decisions. If the Chief of the Bureau of Agricultural Economics does not approve a proposed plan or report form, the agency concerned may request the Secretary or the War Food Administrator to review the decision.*

6. *Local Emergencies. Any bureau whose field offices may in emergencies be obliged to issue local report forms should submit to the Chief of the Bureau of Agricultural Economics a request for exemption from the requirements of paragraph 3.*

7. *Release of Information.

a. The Federal Reports Act directs all Federal agencies to cooperate

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Department Correspondence

1616 (cont. 2) to the fullest practicable extent in making information obtained from any person available to other Federal agencies. The Director of the Bureau of the Budget is authorized to require such action. (Section 3 (e).)

b. The Act also provides:

"Sec. 4. (a) In the event that any information obtained in confidence by a Federal agency is released by that agency to another Federal agency, all the provisions of law (including penalties) which relate to the unlawful disclosure of any such information shall apply to the officers and employees of the agency to which such information is released to the same extent and in the same manner as such provisions apply to the officers and employees of the agency which originally obtained such information; and the officers and employees of the agency to which the information is released shall in addition be subject to the same provisions of law (including penalties) relating to the unlawful disclosure of such information as if the information had been collected directly by such agency.

"(b) Information obtained by a Federal agency from any person or persons may, pursuant to this Act, be released to any other Federal agency only if (1) the information shall be released in the form of statistical totals or summaries; or (2) the information as supplied by persons to a Federal agency shall not, at the time of collection, have been declared by that agency or by any superior authority to be confidential; or (3) the persons supplying the information shall consent to the release of it to a second agency by the agency to which the information was originally supplied; or (4) the Federal agency to which another Federal agency shall release the information has authority to collect the information itself and such authority is supported by legal provision for criminal penalties against persons failing to supply such information."

8. "Penalties for Failure to Furnish Information. "Any person failing to furnish information required by any Federal agency shall be subject to such penalties as are specifically prescribed by law, and no other penalty shall be imposed either by way of fine or imprisonment or by the withdrawal or denial of any right, privilege, priority, allotment, or immunity, except when the right, privilege, priority, allotment, or immunity is legally conditioned on facts which would be revealed by the information requested." (Section 8.)*

9. "Responsibilities of Other Staff Offices. Contacts with divisions of the Bureau of the Budget other than the Division of Statistical Standards, when necessary in the administration of this regulation, will be made through regular Department channels. (See Regulations 1111, 1423.) Questions which arise in connection with the consideration of plans and report forms and which involve budgetary, fiscal, personnel, organizational, or other staff functions, shall be referred by the Chief of the Bureau of Agricultural Economics to the proper staff office or handled in cooperation with such office.*

10. "The Chief of the Bureau of Agricultural Economics may delegate to an official of the Bureau the responsibilities vested in him by this regulation.*

(56 Stat. 1078; 5 U.S.C. (1940 ed.) Sup. 2, sec. 139. Regulation 4, Bureau of the Budget.)

FOREIGN AND TERRITORIAL CORRESPONDENCE

1621. Foreign Correspondence. The Director of Foreign Agricultural Relations is authorized to issue all necessary instructions on the handling of foreign correspondence.

1624. Territorial Correspondence. Correspondence with officers of other executive Departments stationed in territories or territorial possessions shall be transmitted through the heads of such Departments. Correspondence with territorial officials of Alaska, Hawaii, the Philippines, Puerto Rico, and the Virgin Islands, shall be transmitted through the Secretary of the Interior. This Regulation shall not apply to correspondence written by officials of the Department of Agriculture stationed or traveling in such territories nor to routine, technical, or scientific correspondence emanating from field offices.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 122

April 12, 1941

There appears on the reverse side of this sheet a revision of the Regulations governing foreign correspondence, which is promulgated effective immediately.

Regulation 1621 has been revised to authorize the Director of Foreign Agricultural Relations to issue instructions on the handling of foreign correspondence; Regulations 1622 and 1623 have been deleted.

This amendment supersedes Amendment No. 96, dated January 22, 1940, insofar as it pertains to Regulations 1621, 1622, and 1623.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

1621. From "Correspondence with Foreign Governments and
International Governmental Organizations"
To "Foreign Correspondence"

Deletions:

1622. Correspondence with the Department of State and the
Foreign Service of the United States
1623. Authority for Waiver

Index

Deletions:

Agriculture, International Institute of,
correspondence with - - - - - 1621
Consular Officers,
American, correspondence with - - - - - 1622
foreign, correspondence with - - - - - 1621
Correspondence,
foreign, diplomatic officers - - - - - 1621
International Institute of Agriculture - - - - - 1621
Diplomatic officers, foreign correspondence with - - 1621
Foreign, government officials, correspondence - - - - 1621
International Governmental Organization,
correspondence with - - - - - 1621
State Department, correspondence through - - - - - 1622

Additions:

Correspondence, foreign - - - - - 1621
Foreign Agricultural Relations, director, duties - - 1621
Foreign correspondence - - - - - 1621

Paul H. Huppel

Acting Secretary.

STATIONERY

1631. Standardization of Department Stationery.— Orders for printed letter-heads shall be made upon the Public Printer through the office of publications.

The printing will be arranged in three lines, as follows:

United States Department of Agriculture
Bureau of _____
Washington, D. C.

The type to be used should be gothic, 8-point for the first line, 6-point for the second line, and 5-point for the third line.

When authorized by the chief of bureau, the official designation of a subordinate office may appear in the upper left-hand corner in 5-point gothic type, as follows:

United States Department of Agriculture
Bureau of _____
Washington, D. C.

_____ Division

Letterheads of half size (8 by 5 1/4 inches) or two-thirds (8 by 7 inches) may be used for brief informal and intradepartmental correspondence but should not be used for formal or interdepartmental correspondence.

No individual's name shall appear on any letter-head used in the Department.

The first of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The second of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

The third of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The fourth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

The fifth of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The sixth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

The seventh of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The eighth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

The ninth of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The tenth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

The eleventh of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the ground was very dry.

The twelfth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the ground was very wet.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Domestic Mail

1641. Receipt and Dispatch of Mail. The Office of Plant and Operations shall be responsible for the receipt, distribution, and dispatch of official mail in the Department in Washington, D. C. ***

1642. Registered Mail.

1. Official mail sent from Washington may be registered free of charge. An employee whose permanent headquarters is Washington, may while temporarily absent therefrom, register official letters or packages without the payment of any registry fee; but such registered mail should be endorsed over his signature "Temporarily absent from Washington, D. C."

2. The privilege of free registration of official mail extended by law should be taken advantage of only when registration of mail is necessary because of money or other equivalent contents, or because of unusual importance. Large shipments and packages of documents, reports, and similar matter should be sent as fourth-class matter or by express or freight, as the case may be. Since free registration is not accorded mail sent by employees permanently stationed outside of Washington, the regular fee must be paid on mail the importance of which warrants registration.

3. Mailable first-, second-, third-, and fourth-class matter for domestic destination may be registered and mailed under the penalty privilege if sealed and within the weight limitations on penalty privilege mail.

4. Demand for return registry receipts should be made only when such evidence of receipt by addressee is necessary as a part of the record in formal proceedings.

1643. Insured Mail.

1. When articles meeting the requirements as to class (Fourth), weight, and size, are to be transported at Government expense and it has been administratively determined that it is necessary to establish a record of the delivery, the shipper or contractor may be instructed to insure such articles at a minimum value declaration.

2. Where a shipper or contractor, acting on his own responsibility or on instructions, sends an article to be transported at Government expense by parcel post, prepaid and insured, the cost of the insurance may be added to the invoice of such shipper or contractor, but must be supported by an itemized statement as to the insurance charges.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Domestic Mail

1644. Forwarding of Mail to Employees Outside of District of Columbia. All mail matter, including second-, third-, and fourth-class matter, addressed to employees of the Department whose addresses have been changed by official orders, may be forwarded without payment of additional postage if marked "Change of address caused by official orders." (See also Regulation 3182.)

1645. * Penalty Mail *

1. * Articles or packages used in official business, weighing four pounds or less, may be mailed under the penalty privilege. * The use of penalty envelopes to avoid payment of postage on other than official business is prohibited. Penalty envelopes, labels, etc., containing * or attached to * official mail matter must bear the words "Official Business."

2. * Under provisions of Public Law 364, 78th Congress, the Department is notified of the estimated cost of handling its penalty mail by the Post Office Department, and is required to deposit in the general funds of the Treasury as miscellaneous receipts, from its appropriations, an amount equivalent to such costs. The number of pieces of penalty material handled by the Post Office Department is computed on an inventory basis, and represents the quantity of such articles used or consumed. For this reason, such articles should be conserved as carefully as though they bore stamps. Penalty envelopes, therefore, must not be used as chain or messenger envelopes, nor for air mail, foreign mail, etc., on which postage is required. Personal use of penalty mail is prohibited. * ***

3. * Mail which bears the penalty indicia hand-stamped thereon or in handwriting will not be accepted by the Post Office. *

4. When an employee writes to a private party on official business for information of value to the Department, he may enclose with his letter an official envelope properly addressed to himself to cover the reply.

5. Penalty envelopes or penalty labels must not be furnished merchants or others from whom articles are purchased for delivery of such articles by mail, nor shall penalty envelopes be furnished by any employee of the Department to persons not in the employ thereof, or who are not employees of the Government, for transmission through the mails * under the penalty indicia * of any other matter other than official information and endorsements relating thereto. Penalty envelopes addressed to the Department, however, may be furnished to publishers to be used by them in transmitting free copies of their publications when such publications contain official information of value to the Department. Penalty envelopes bearing a return address may also be furnished to persons in possession of public documents for use by them in returning such documents to the Department (1301, 1782). (See also Regulation 1371.)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Domestic Mail

1646. Mailing of Pamphlets or Reports Accompanied by Letters.

1. In order to expedite and safeguard the movement through the mails of any report, pamphlet, or similar material with which it is necessary to enclose an explanatory letter, the containing envelope should be carefully sealed and the words LETTER MAIL conspicuously written or stamped on its face. In offices where material to be dispatched by post is separated into letter mail and package mail, pains should be taken to include in the former all envelopes sealed and marked as above.

2. An indiscriminate use, however, of the "Letter Mail" notation particularly on foreign mail requiring postage, must be avoided. Only material accompanied by a communication clearly subject to lettermail transmittal should be so treated.

1647. * Parcel Post *

1. * Matter weighing more than four pounds, except as specified in paragraph two, must carry prepaid postage at the fourth class mail rate. * Packages must not exceed the size and weight limits prescribed for parcel post shipments. Material ordinarily mailed as a single package must not be split to avoid payment of postage. (Postal Laws and Regulations, Sections 578 and 618.)

2. * Books and documents published or circulated by order of Congress may be mailed under the penalty indicia by the Superintendent of Documents, or under the franking privilege of Members of Congress, even though the package weighs more than four pounds. (Public Law 364, 78th Congress.) *

1648. Mail Sacks; Improper Use. The use of the United States mail sacks for storing records, books, and any other matter, and the dragging of filled mail sacks over floors and pavements in handling, is prohibited. The contents of mail sacks should be removed immediately upon receipt and the sacks returned to the Post Office Department.

1649. Agricultural Extension Correspondence and Publications Entitled to Free Transmission in Mails. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, as amended, by whom the correspondence, bulletins, and reports are to be transmitted, the third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails. Only such correspondence, bulletins, and reports as relate to instruction and practical demonstrations in agriculture and home economics addressed to persons not attending or residents in said colleges in the several communities, and are mailed at the authorized post office by the college officer, or other person duly designated, may be transmitted free. (486, 1301, 1787)

Foreign Mail

1651. Mail to Foreign Countries. Mail entitled to transmission free of postage in the domestic mails of the United States is also entitled to transmission free of postage between the United States and its territorial possessions, between territorial possessions, and between the United States and certain foreign countries listed in the United States Official Postal Guide. Official mail to foreign countries other than those listed in the Postal Guide as eligible for free transmission in the mails under the penalty privilege must carry appropriate postage.

1652. Letters of Introduction. Official letters of introduction for use in connection with travel abroad will not be issued except in rare instances, where it is apparent that the issuance of such letters will further the interests of the Department. Chiefs of bureaus or other officials who desire to issue such letters over their own signature or to secure the signature of the Secretary thereon will submit a draft of the proposed letter and a memorandum of the circumstances to the Director of Personnel for approval. Requests for letters of introduction should contain the name of the traveler, title, countries to be visited with approximate dates, and the purpose of the trip and other necessary information. (Amendment No. 1, 7-1436.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

Amendment No. 114, dated December 11, 1940, to Regulation 1651 appears on the reverse side of Regulation 1641.

July 14, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 1

There appears on the reverse side of this sheet a paragraph, No. 1652, entitled "Letters of Introduction," which is added to the Regulations of the Department, effective immediately.

All copies of the Regulations should be modified accordingly and the following items should be added to the Table of Contents and the Index:

Table of Contents

1652. Letters of Introduction

Index

Foreign travelers, letters of introduction for - - - -	1652
Introduction, letters of - - - - -	1652
Letters of introduction - - - - -	1652

R. G. Tugwell

Acting Secretary.

1661. Preparation of Official Documents. The instructions given in the Department Style Manual shall be followed in the preparation of official documents having general applicability and legal effect, such as Proclamations, Executive Orders, and other official papers for publication in the Federal Register. (See also Regulation 1613, paragraph 5)

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 125

April 24, 1941

A revision of the Regulations on Proclamations, Documents, Executive Orders, and Certificates appears on the reverse of this page.

Regulation 1661, "Preparation, Form, and Style of Documents," has been revised to include only a reference to the section of the Department Style Manual which covers instructions on this subject. The title has been changed to "Preparation of Official Documents." Regulation 1662 has been deleted.

This Amendment supersedes Amendment No. 3, dated October 5, 1938, and is promulgated effective immediately.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

Chapter title from "Proclamations, Orders, Etc."
to "Official Documents"

1661. From "Preparation, Form and Style of Documents"
to "Preparation of Official Documents"

Deletions:

1662. "Preparation, Form and Style of Executive Orders
and Proclamations"

Index

Deletions:

Proclamations, wording of - - - - - 1661

Additions:

Department Style Manual - - - - - 1661
Documents, preparation of - - - - - 1661
Official documents, preparation of - - - - - 1661
Proclamations, preparation of - - - - - 1661
Style Manual, Department - - - - - 1661

Changes:

	<u>From</u>	<u>To</u>
Executive Orders, preparation of	1662	1661
Orders, Executive, preparation of	1662	1661

Paul H. Huppel

Acting Secretary.

TELEPHONES

1671. Installation of Telephones in District of Columbia.— No bureau shall enter into negotiations with any telephone company for the installation of any telephone in the District of Columbia except through the superintendent of telegraph and telephone of the Department who will make the necessary arrangements.

1672. Installation of Telephones in Government-owned Residences.— Installation of telephone in Government-owned private quarters of an employee, to receive service through a Department private branch exchange may be authorized but no appropriation of the Department may be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business as shown by sworn vouchers approved by the head of the bureau. Telephone service rendered through a departmental private branch exchange to private quarters shall be paid for monthly by the employee concerned. --, however, an employee having no other office or official headquarters, uses one or more rooms in his private residence exclusively for office purposes and as a public office, the payment for telephone service installed therein for his official use only is not prohibited. (1740)

1673. Use of Official Telephones for Private Business.— The use of official telephones for outgoing private messages is strictly prohibited; such messages must be sent from the public booths. Important and necessary incoming messages may be received, but supervisory employees of the various bureaus must see that this privilege is not abused.

My dear Mr. [Name]
I have just received your letter of the 10th inst. and am
glad to hear that you are well and happy.

I am writing you a few lines to let you know that
I am still in the same old place, and hope you will
be able to visit me soon.

I have been thinking of you very much lately, and
wondering how you are getting on. I hope you are
as well as ever.

I have been very busy lately, but I have managed
to find some time to write you. I hope you will
be able to visit me soon.

I have been thinking of you very much lately, and
wondering how you are getting on. I hope you are
as well as ever.

I have been thinking of you very much lately, and
wondering how you are getting on. I hope you are
as well as ever.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Telephones

1674. Long Distance Telephone Calls.

1. *Standards and Controls

a. Long distance telephone calls may be made only when the official business to be transacted is urgent, when a less expensive mode of communication will not serve the purpose, and when the making of such calls is definitely required by the interest of the Government.

b. The minimum standards given below will be used by all officers and employees of the Department to test the urgency of a long distance call, and no long distance telephone expense shall be incurred unless:

(1) The efficient execution of important official business would definitely be hindered; or

(2) A monetary loss might result to the Government if a less expensive mode of communication were used; or

(3) The subject required to be discussed would necessitate travel if long distance telephone service were not used; or

(4) Immediate official action is required by an emergency situation relating to illness, injury, property damage, or other similar circumstances.

c. When it is determined that a long distance call is absolutely necessary, the person making the call should assemble all pertinent data and so organize the material that the call may be completed in the most efficient and economical manner. The conversation should be limited to the official business involved.

d. Chiefs of bureaus are responsible for expenditures for long distance telephone service and shall prescribe the necessary control measures, appropriate to each organization, to guard against unnecessary expenditures for such calls. Such measures shall include provisions for periodically analyzing the record of long distance telephone calls, for reviewing the rates of expenditures, and for testing calls against the above standards so that the bureau chief can be assured that adequate controls are in effect. A brief, but specific record of long distance telephone calls, costing more than 50 cents each, shall be kept in each bureau, giving the specific subject of each call and the reason the business could not be handled by a less expensive mode of communication. If there are many calls on the same general subject during, for example, a week or month, a brief written record for the group of calls may be made in lieu of a record for each call. *

2. Certification

a. The act of May 10, 1939, 53 Stat. 738, provides that no appropriation shall be used for the payment of long distance telephone tolls except for the transaction of public business which the interest of the Government requires to be so transacted and unless each voucher, including travel reimbursement vouchers, covering such tolls carries a certification that the use of the telephone in such instances was necessary in the interests of the Government. The Chief of the Office of Plant and Operations, or a duly designated official of that office, is authorized to execute this certification on all vouchers covering long distance telephone tolls paid in Washington, D. C. Such certification shall in all cases be supported by appropriate certifications by responsible bureau officials.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Telephones

1674 (cont. 1)

b. Any officer authorized to certify and approve vouchers is authorized to execute the certification required by 53 Stat. 738 with respect to tolls paid in the field or reimbursed to travelers. ***

1675. Listing of Field Offices or Stations in Telephone and City Directories. For the convenience of the public and in order to facilitate the transaction of business in a locality where there is more than one field office or station of the Department of Agriculture, the representatives thereof should confer as a group and arrange with the proper authorities of the telephone and city directory companies for carrying in the local directories a consolidated alphabetical listing of the Department by organizations; for example:

Agriculture - U. S. Department of
Agricultural Economics - Bureau of
State Statistician
Federal Bldg. - 1600 Main St.
Production and Marketing Administration
Fruit and Vegetable Branch
Market News Service
Post Office Bldg. - 900 Main St.

(Also telephone number in listing in telephone directory)

Where there are other Federal agencies in the same locality the departmental group, preferably through the Federal Business Association or like organization, should endeavor to arrange for a consolidated listing of all Federal activities, alphabetically by departments, under the heading "United States Government."

Cross listing by individual bureau and activity designations will still be desirable in many cases because of lack of familiarity on the part of the public with the Government organization. (See Regulation 1571.)

Revised 4-25-47 (Amendment 241)

TELEGRAMS, RADIOGRAMS, AND CABLEGRAMS

1681. Telegrams.— Any employee of the Department, when the exigencies of the service or the requirements of his official duty make such action necessary, is authorized to incur expense for telegraph, radio, or cable messages.

Government systems will be utilized whenever practicable and available for the transmission of official dispatches provided the service is reliable and free of charge or less expensive than the commercial systems. Administrative officers, who may be required to send telegrams from Washington to field stations of the Department or from field stations of the Department to Washington or to other points in the field, should familiarize themselves with Division of Operation Circular No. 11, dated September 29, 1937, concerning Government-operated telegraph facilities.

Commercial radiotelegraphic service should be utilized when available and more economical than other services.

The telegraph service should not be used unless the exigencies of the service require a speedier mode of communication than the ordinary mail or air mail afford. Care should be taken to eliminate all unnecessary body words from telegrams. Figures may be expressed in figures or words, five figures or fraction of five figures, including decimals, fraction marks, dashes and ordinal numbers, such as 21st, 22d, will be counted as one word when used in their natural sense. Mixed letters and figures, such as 123ab, (two words), 12d34, (three words), are considered as separate groups. The comma, period, colon, semicolon, dash or hyphen, quotation marks, parentheses, question mark, and apostrophe when employed as such by the sender in messages within the United States will neither be counted nor will any charge be made for same. Punctuation marks, such as comma, period, colon, etc., when written out will be counted, and a charge made for same. The use of the punctuation marks as such will

DEPARTMENT OF AGRICULTURE

WASHINGTON

October 29, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 46.

There appears on the reverse side of this and subsequent sheets revision of paragraphs 1681, 1682, and 1683, entitled "Telegrams", "Procedure in Washington", and "Radiograms and Cables", respectively.

The revision of paragraph 1681 was for the purpose of insuring the use of Government-operated facilities whenever practicable and available or less expensive than the commercial systems; and for the further reason that on the respective dates of June 1, 1937 and June 23, 1937, the telegraph and commercial radio companies abolished what is commonly known as the "night message service", and changed the method of counting figures as chargeable words. Effective October 15, 1937, the punctuation marks when employed as such by the sender in messages within the United States will neither be counted nor will any charge be made for same. Furthermore, if desirable messages may be written in paragraphs by the sender.

The reasons for the revision of paragraph 1682 were to avoid the necessity for amending the regulation each time a bureau moves to a building in the "main Department building group", and due to the fact the "night message service" has been abolished.

The revision of paragraph 1683 was for the purpose of securing a substantial saving to the Department through its adoption.

W. L. Wilson

Acting Secretary.

Telegrams, Radiograms, and Cablegrams

remove any necessity for using the word "stop" or the spelling out of punctuation marks. If desirable messages may be written in paragraphs by the sender. The sender should choose the cheapest form of service - straight telegram, day letter, night letter, timed wire service (when available), and serial service - considering the probable time of delivery and the importance of the message. Consideration should be given to difference in time of the various time zones; messages from field stations to Washington should be sent at night letter rate if filed after 4:15 p.m. E.S.T., unless extremely urgent. Uneconomical transmittal should be noted in the administrative examination of accounts and brought to the attention of the responsible employee. The rates for Government messages are given in the Standardized Government Travel Regulations in the section "Telegraph, cable, and radio service." Weather Bureau messages are transmitted at special rates fixed in annual contracts. The billing telegraph office should be required to furnish with accounts the originals of outgoing messages, or copies of those received. (112, 637)

1682. Procedure in Washington.- All telegrams emanating from the Department in the District of Columbia (except for the Secretary's signature and those from the Bureau of Agricultural Economics, Weather Bureau, and organizations located in other than the main Department building group, which are handled by special procedure) shall be prepared in triplicate, an original on a departmental telegraph blank, and two carbon copies, and sent promptly to the Department telegraph office, where one carbon copy will be stamped with the date and time of receipt and returned to the bureau concerned. Outgoing telegrams should not be allowed to accumulate in bureaus but should be sent to the telegraph office as soon as signed.

Each chief of bureau will designate an employee under his jurisdiction whose duty it shall be to scrutinize carefully all telegrams originating in

[The text on this page is extremely faint and illegible. It appears to be a multi-paragraph document, possibly a letter or a report, with several lines of text visible across the page.]

Telegrams, Radiograms, and Cablegrams

his bureau and initial same before transmission to the Department telegraph office. The Department telegraph office will not accept telegrams not so initialed. The name of the employee designated for this purpose shall be reported to the Office of the Secretary.

In preparing telegrams for the signature of the Secretary, an original on a departmental telegraph blank and four carbons (one salmon-colored and three white copies) shall be made. The initials of the chief of bureau in which the telegram originates should appear on the original and the salmon-colored copy of the telegram. The title "Secretary" should never appear on a telegram. If it is really necessary to indicate the title, the term "Secretary of Agriculture" should be used. The name should not be typed in prior to signature. In no case should copies of telegrams prepared for the signature of the Secretary be mailed or referred to in correspondence until the stamped copy has been received from the Department telegraph office.

All outgoing telegrams before being forwarded to the Department telegraph office will be classified by the bureaus as follows:

Day: Messages to be handled in the class with preferred commercial business.

Timed wire service: Messages of more than average length to be handled in the class with preferred commercial business.

Serial service: Where more than one message is to be sent to the same addressee on the same day; messages to be handled in the class with preferred commercial business.

Day letters: Messages to be handled in the class with deferred commercial business.

Telegrams, Radiograms, and Cablegrams

Night letters: Messages to be handled in the class with night letter commercial business.

In the event a bureau fails or neglects to classify a telegram, the superintendent of telegraph and telephone is authorized to dispatch same by the most economical and effective method.

1683. Radiograms and Cables.- Administrative officers concerned should be familiar with Government-operated radio and cable facilities to foreign countries, territorial and insular possessions of the United States, and these facilities should be used unless in particular cases commercial cables are speedier and the messages require expedition. In filing cable or radio messages for transmittal in the Department telegraph offices, bureaus should indicate the transmitting agency desired. (637, 2027)

The registered cable address for the Bureau of Agricultural Economics is "Agrecon" and the address for all the other bureaus of the Department is "Pluribus." These addresses are registered with all telegraph, cable, and radio companies accepting international communications.

Official messages of the Department originating in any foreign country other than Mexico and Canada should carry the appropriate registered cable address. As the Department is charged for each word in the address, the use of the appropriate registered cable address will result in a saving.

1684. Personal Messages.- Charges for the transmission of unofficial material by telegram, radio, or cable can not be paid from Department appropriations. Applications for or inquiries about leave, inquiries about payment of salary or expense accounts, and responses to such inquiries are unofficial. (See paragraph covering "Personal messages" in the Standardized Government Travel Regulations.) (1673)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

ACQUISITION, CONSTRUCTION, AND REPAIR OF REAL PROPERTY

1711. Acquisition of *Title.*

1. Before any real property may be acquired either by purchase or donation, legislative authority must have been provided and the necessary funds appropriated for such acquisition. (1886, 1828, 1829)

2. Whenever the purchase of real property (other than the classes hereinafter excepted) will involve an expenditure in excess of \$5,000, no action shall be taken in connection therewith, or any public announcement made thereof, until approval of the Secretary shall have been secured. Each request submitted for the approval of the Secretary shall set forth in connection with the contemplated purchase of property (1) the estimated cost, (2) the character of, (3) the necessity for, (4) the source of funds to be used and the legal authority therefor, and (5) the relationship of the property to other facilities of the bureau in (a) the immediate vicinity, (b) the State or general locality, or (c) the region (with respect to those organizations operating on a regional basis) and shall include a brief description of the real property owned or controlled in the immediate vicinity by other bureaus of this Department. This procedure is not applicable to the acquisition of land for National Forests, the land utilization program, or similar projects.* * *

1712. Leases.

1. *Acceptance of Bids and Execution of Leases. The Chief, Office of Plant and Operations, or officials of that Office designated by him, or, with his concurrence, chiefs of bureaus or officials designated by them, may accept bids and prepare and execute leases and related instruments for real property for the use of the Department.*

2. *Free Space. Before seeking to lease building space or land, an endeavor shall be made to obtain free premises. If suitable space is available in Federal buildings, it must be accepted.*

3. Competitive Bids.

a. *Except as stated in paragraph b, requirements for building space or land shall be advertised and at least three (more if possible) owners of, or agents for, eligible premises shall be invited to submit bids. U. S. Standard Form 33 (Revised) should be used in formal advertisements.*

b. *Competition is not required:

(1) In emergencies. But premises so leased may be occupied only until such time as it is possible to conduct a formal solicitation and make an award thereunder.

(2) If the total rental for any fiscal year does not exceed the open market authorization for the bureau, activity, or fund concerned. However, only the lowest priced suitable building space or land, as determined by careful inquiry, may be leased.

(3) If precluded by the nature of the occupancy or other unique circumstances.*

4. Term of Lease. A lease *shall* cover only that period of time for which the fund to be charged is available. A renewal provision may be included. (1732, 1751)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Acquisition, Construction, and Repair of Real Property

1712 (cont. 1)

5. Form of Leases. Formal lease, prepared on U. S. Standard Form No. 2 (Revised) must be executed when the Government is the lessee of real property, unless the term of the lease does not exceed one year and the total rental does not exceed \$100, in which case an informal agreement may be used. However, a succession of informal agreements must not be executed during the same fiscal year to avoid the use of U. S. Standard Form No. 2 (Revised).

6. Maximum Rental

a. The annual rental rate for any building or part of a building (less the actual cost of services furnished by the lessor under the lease), if more than \$2,000, must not exceed 15 per cent of the fair market value of the rented premises at the date of the lease. This limitation does not apply to leases of premises in foreign countries for the foreign services of the United States. (1806)

b. For the duration of the war and for the first lease renewal period thereafter, it will not be necessary to obtain evidence of the current fair market value of leased premises before renewing leases in which the annual rental rates exceed \$2,000 per annum.

7. Exercise of Renewal Options. For the duration of the war and for the first lease renewal period thereafter, a comprehensive canvass of owners of, or agents for, eligible premises prior to the renewal of leases containing a renewal option will not be required. However, it shall be the duty of an official authorized to renew the lease to determine that renewal is to the best interest of the Government.

8. Cancellation Clause. A clause which will permit the termination of a lease prior to its expiration or during any period of renewal may be inserted in a lease when there is a reasonable probability that more advantageous arrangements can be made or that the Department activity involved will be discontinued.

9. Filing in Office of Plant and Operations. Copies of letters of authorization to accept bids and execute leases and of bureau instructions relative to leasing procedure shall be filed in the Office of Plant and Operations.

10. Clearance by and Reports to Federal Works Agency.

a. * After July 1, 1947, no lease, agreement, renewal or supplemental agreement for the acquisition of leased premises shall be entered into by any agency unless prior clearance shall have been obtained from the Public Buildings Administration of the Federal Works Agency, except those for:

- (1) Office space involving annual rental rates of less than \$500 for temporary occupancy of less than six months;
- (2) Warehouse, storage or other space not primarily for office use involving annual rental rates of less than \$500;
- (3) Unimproved land regardless of rental rate; and
- (4) Space outside the continental limits of the United States, including Alaska. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Acquisition, Construction, and Repair of Real Property

1712. (cont. 2)

b. A report of each leasing transaction * which does not require prior clearance as set forth in "a" above * shall be submitted to the Office of Plant and Operations for its records and for transmittal to the Public Buildings Administration under such rules and regulations as the Office of Plant and Operations shall prescribe, except that no reports shall be required by that office for the following types of contracts, agreements, leases, etc.:

(1) Service contracts, including informal agreements, covering such services as telephone, janitor service, electricity, water, garage storage, mechanical repairs and inspection, etc.;

(2) Informal agreements covering individual garages solely for the storage of one or two pieces of automotive equipment at a stipulated sum per month;

(3) Leases and agreements covering unimproved land and interests therein other than land acquired for lot storage purposes.

11. Repairs to Leased Property.

a. Repairs, alterations, and improvements to leased property, may be made at Government expense if not inconsistent with the provisions of the lease and if the expenditures do not exceed 25 per cent of the rental for the first 12 months of occupancy; however, no expenditures in excess of 25 per cent of the rental for the original term, if less than 12 months, shall be made unless and until the term is actually extended by a leasing instrument or instruments. (1806)

b. Where property is occupied at nominal or free rentals, expenditures for the nominal rental and for repairs, alterations, and improvements, if permitted by the provisions of a properly executed instrument, may be made up to, but not exceeding, 25 per cent of 15 per cent of the fair market value of the portion of the property occupied under the instrument. In meritorious cases, a waiver of this limitation may be granted by the Chief, Office of Plant and Operations. (For "Alterations to Federal Buildings" see Regulation 1714.)

1713. Construction of Buildings.

1. No contract shall be entered into for the erection, repair, or furnishing of any public building, or for any public improvement which shall bind the Government to pay a larger sum of money than the amount in the Treasury appropriated for the specific purpose unless such construction is specifically authorized by law. (1732)

2. Whenever the estimated cost of the contemplated erection or repair of any Government-owned building, or any addition thereto, is in excess of \$5,000, no action shall be taken in connection therewith, or any public announcement made thereof, until approval of the Secretary shall have been secured. Each request submitted for the approval of the Secretary shall be accompanied by a statement indicating with respect to each building (1) the estimated cost, (2) the character of, (3) the necessity for, (4) the source of funds to be used and the legal authority therefor, and (5) the relationship of the building to other facilities of the bureau in (a) the immediate vicinity, (b) the State or general locality, and (c) the

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Acquisition, Construction, and Repair of Real Property

1713 (cont.) region (with respect to organizations operating on a regional basis), and shall include a brief description of the stations or other facilities located in the immediate vicinity which are owned or controlled by other bureaus of this Department. If the construction or repair of buildings is managed on an annual or other program basis, the advance submission of the program for the period involved is desired rather than separate submissions for the several structures involved. In such cases the information stipulated in the foregoing should be included insofar as possible.

3. A formal contract shall be required for the erection or repair of any building, or addition thereto, whenever the amount involved is in excess of \$2,000, and the work is to be performed by a contractor. It shall be discretionary with each bureau whether this regulation shall apply with respect to amounts of \$2,000 or less, where a less formal agreement only is required.

4. Permanent structures shall not be located on other than Government-owned land. (1054, 1065)

1714. Alterations to Federal Buildings. Funds of a bureau *may* be used to make alterations to a Federal building under the supervision of some other department *or independent establishment only when such alterations* are not necessary to the ordinary use or operation of the building and do not involve structural changes. Any bureau *wishing to make* such special alterations shall submit its request, together with a statement relative to the needs for the alterations, to the *Office of Plant and Operations* for transmittal to the appropriate department or independent establishment.

MANAGEMENT OF BUILDINGS

1721. Buildings and Rooms.-- The chief of the division of operation is responsible for the management of all buildings occupied by the Department in the District of Columbia. He is also the real estate officer for the Department and as such should be consulted in advance with regard to all needs for additional buildings, repairs, and improvements to buildings, and is given full authority to require the remedying of insanitary or unsafe conditions which he may find upon inspection to require remedying.

All lands (excepting lands acquired for forest reserves), buildings, telegraph lines, telephone lines, cables, fences, and other improvements of a permanent character, located outside of the District of Columbia, constructed or purchased by the Department shall be made a matter of record in the bureau concerned.

The buildings and rooms occupied by the Department must be kept in a sanitary and hygienic condition, free from dirt, dust, and refuse. Provisions and remnants of lunches must not be left in desks overnight. Spitting on floors is prohibited in all buildings of the Department.

Any insanitary conditions, accumulations of trash, or conditions involving unnecessary fire risks reported to or observed by the chief of the division of operation will, by him, be brought to the attention of the proper employee of the bureau concerned, who shall take immediate steps to remedy them. (134)

1722. Care of Buildings.-- Chiefs of bureaus shall designate some person or persons under their jurisdiction who shall see that awnings are pulled up, windows closed, electric lights and fans turned off, drip pans under refrigerators emptied,

EDUCATION IN MASSACHUSETTS

The first of the great educational reforms in Massachusetts was the establishment of the public school system in 1852. This was the first time in the history of the Commonwealth that the state had taken direct responsibility for the education of its children. The system was based on the principle of universal education, and it was the first time that the state had provided for the education of all children, regardless of their social or economic status.

The second of the great educational reforms was the establishment of the normal school system in 1862. This was the first time in the history of the Commonwealth that the state had provided for the education of teachers. The normal schools were established to provide a systematic and scientific training for teachers, and they were the first time that the state had provided for the education of teachers.

The third of the great educational reforms was the establishment of the state university system in 1863. This was the first time in the history of the Commonwealth that the state had provided for the education of the higher classes. The state university system was established to provide a systematic and scientific training for the higher classes, and it was the first time that the state had provided for the education of the higher classes.

The fourth of the great educational reforms was the establishment of the state technical school system in 1872. This was the first time in the history of the Commonwealth that the state had provided for the education of the lower classes. The state technical school system was established to provide a systematic and scientific training for the lower classes, and it was the first time that the state had provided for the education of the lower classes.

1872

The fifth of the great educational reforms was the establishment of the state normal school system in 1882. This was the first time in the history of the Commonwealth that the state had provided for the education of teachers. The state normal school system was established to provide a systematic and scientific training for teachers, and it was the first time that the state had provided for the education of teachers.

Management of Buildings

and all unnecessary gas burners turned off upon the departure of employees from laboratories and offices at the close of office hours. Employees who are required to perform duties outside of regular office hours (9 a.m. to 4:30 p.m.) shall carry out this regulation upon departure from their offices.

All employees are charged with the duty of seeing that all electric lights and fans are turned off during office hours when their use is not necessary. The placing of paper shades on electric lights is prohibited.

1723. Passes to Buildings.-- Passes to buildings shall be issued by the chief of the division of operation upon application of chiefs of bureaus. They shall be used only to enable employees who have official work to perform outside of office hours to enter buildings and shall not be used for the purpose of carrying on private work. Blank passes will be furnished to the chief of each bureau for use in emergencies, which shall be issued only for short periods. These passes will be taken up by the watchman on duty and sent to the captain of the watch, who will return them to the chiefs of the bureaus in which the employees are employed. Permanent passes will be issued to executives and other employees who, in the performance of their duties, should have them in their possession at all times. No person shall be allowed to remain in any building after 11:30 p.m. except in the case of extreme emergency. (1253)

1724. Locked Rooms.-- Offices and storerooms should be left unlocked so that watchmen can have access thereto at night. If necessary to lock a room, special provision for inspection by the watchmen from the outside should be made by putting a pane of glass or a grating into the door, and a duplicate key must be hung in a metal case with a glass front outside of the locked door.

Management of Buildings

1725. Storage. In order that the fire hazard may be reduced to a minimum, the following rules governing the storage of materials in the attics and basements of buildings where such storage is permitted will be observed:

1. Materials must be stored in an orderly manner.
2. Material must be so arranged as to leave a free passage to the back of each bay for inspection.
3. Material must be so arranged that no part of it will come within eight inches of the ceiling in the attic areas or within two feet of the ceiling in the sub-basement areas.
4. Material must not extend beyond the line of columns into the center passageway except in special cases where permission is obtained from the Chief, Office of Plant and Operations.
5. Letters, papers, or other inflammable material of this nature should if practicable be stored in closed steel filing cases or cabinets. Steel shelving must be used for the storage of bulletins, pamphlets, or other similar material of a combustible character.
6. Old, damaged, or unused wooden furniture shall be disposed of in accordance with the regular procedure and not stored in the attic or sub-basement. (See also Regulation 4421.)
7. No partitions or enclosures shall be installed in buildings of the Department in the District of Columbia without the approval of the Chief, Office of Plant and Operations.
8. Approved enclosures in the District of Columbia shall be protected only by locks approved by the Chief, Office of Plant and Operations, and keys shall be furnished to the Captain of the Guard so that access may be had to the enclosure by the Guard Force at any time.

1726. Operation of Elevators. No person shall be permitted to operate an elevator in any building under the jurisdiction of the Department in the District of Columbia without a permit signed by the Public Buildings Administration, Federal Works Agency.

1728. Display of Flag on Buildings. The United States flag shall be displayed on all Government buildings of the Department of Agriculture and on all other buildings occupied solely by one or more of the activities of the Department of Agriculture or by the Department of Agriculture and one or more of the departments or independent establishments of the Federal Government, on all working days and on such other days as specifically provided by law or proclamation. At field stations the flag may either be displayed on a building or on the grounds of the field station.

DEPARTMENT OF AGRICULTURE
WASHINGTON

March 28, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 120

Regulation 1727, entitled "Directory of Field Activities," has been revoked and is hereby deleted from the Regulations.

This Regulation is considered unnecessary since this information is contained in the Annual Directory of Organization and Field Activities of the Department.

This Amendment supersedes Amendment No. 74, insofar as Regulation 1727 is concerned.

The following deletions should be made in the Table of Contents and in the Index:

Table of Contents

1727. Directory of Field Activities

Index

Employees, directory of - - - - -	1727
Directory of field activities - - - - -	1727
Field Activities, directory of - - - - -	1727

Paul H. Shippley

Acting Secretary.

September 28, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 74

There appears on the reverse side of this sheet, slight changes in regulations 1726 and 1727, entitled "Operation of Elevators" and "Directories of Buildings", respectively. These changes are made in the interest of clarity. There also appears an addition to the Regulations of the Department which has been designated as regulation 1728 and entitled "Display of Flag on Buildings". Such an addition appears desirable from a departmental standpoint.

Both these revisions and this addition to the Regulations of the Department are promulgated effective immediately.

The following changes and additions should be made in the Table of Contents and in the Index:

Table of Contents:

Change "1727. Directories of Buildings"
To "1727. Directory of Field Activities"
Add: "1728. Display of Flag on Buildings"

Index:

Delete	"Buildings, directories of - - - - -	1727"
	"Directories, buildings - - - - -	1727"
Change	"Employees, directories of - - - - -	1727"
To	"Employees, directory of - - - - -	1727"
Add:	"Directory of field activities - - - - -	1727"
	"Field Activities, directory of - - - - -	1727"

J. Wallace

Secretary.

EQUIPMENT OF BUILDINGS

1731. Furniture and Equipment.-- Furniture for the office space allotted to bureaus in Federal buildings located outside the District of Columbia, is to be furnished by the department having custody of such building when required subsequent to the occupancy thereof, but special equipment, such as, laboratory furniture or equipment, typewriters, adding machines, etc., must be furnished by the bureau concerned. (1846, 1847)

Whenever a field activity of a bureau is assigned space in a Federal building, all furniture being used by such activity must be moved into the Federal building which is to be occupied. An inventory of the furniture moved into the Federal building shall be prepared and furnished to the custodian of such building. A receipted copy of the inventory shall be retained by the particular activity. The department having control of the particular Federal building will assume custody of the furniture and will be responsible for its maintenance and repair. Actual title to the property will be retained in the Department and the articles included in the inventory submitted to the property officers of the bureau concerned in accordance with the Regulations of the Department. When the occupancy of a Federal building is to be terminated, a list of the furniture of the activity concerned should be submitted to the real estate officer in order that he may obtain a release of such furniture from the department having custody of the particular Federal building. Any furniture which may become surplus to an activity while occupying a Federal building may be removed if the removal of such furniture will not require the department having custody of the building to purchase furniture to replace that removed. The request for the real estate officer to obtain the release of the furniture should show whether any portion of the furniture to be removed is surplus and whether its removal will require the department having custody of the Federal building to purchase furniture to replace it.

Expenses incident to moving furniture into a Federal building will be paid by the department having custody of the Federal building unless such furniture is considered to be special equipment and unless the building is operated on a reimbursable basis. Expenses incident to moving furniture from a Federal building must be paid by the bureau concerned unless it is to be moved into temporary quarters obtained by the Procurement Division, Treasury Department, for use during construction of a new building.

1732. Installation of Laboratories and Construction Work.-- The installation of all laboratories, construction of partitions, etc., in the buildings owned or rented by the Department in the District of Columbia will be made under the supervision of the chief of the Office of Plant and Operations* as custodian of buildings. He shall also be consulted in advance should necessity arise for any changes in said buildings, and no work involving such changes shall be started until plans or memoranda describing the proposed change in detail have been submitted to and approved by him.

1733. Inflammable Materials and Supplies.-- Materials and supplies of an inflammable character, except in small laboratory lots must not be stored in buildings occupied by the Department other than those specially constructed for the purpose.

* Formerly division of operation.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 22, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 89.

A substitute for regulation 1731, entitled "Furniture and Equipment," appears on the reverse side of this sheet.

The substitution is necessitated by the fact that the original regulation "was prepared at the time when all Federal buildings outside of the District of Columbia were under the control of the Treasury Department."

The provisions of the substitute regulation is promulgated effective immediately.

Inasmuch as the title of the regulation is included in the Table of Contents no change in this section is necessary. The following change should be made in the Index:

Delete "Treasury Department to have custody of furniture."

Harry L. Brown
Acting Secretary.

Equipment of Buildings

1734. Waste-paper Baskets.-- Employees must not place in waste-paper baskets fragments of luncheons or any other substance except waste paper. Chief clerks of the various bureaus will provide metal receptacles for fragments of luncheons, and also separate receptacles for broken glass, empty tin cans, and other waste material of similar character.

1735. Drinking Cups.-- The use of public drinking cups is prohibited. They will be confiscated wherever found. Individual sanitary cups should be used.

1736. Towels.-- The use of roller towels and other towels intended for use by more than one person is prohibited in all buildings occupied by the Department.

1737. Installation and Periodic Inspection of Boilers.-- Plans and specifications for all new installations of boilers and pressure vessels (other than conventional laboratory equipment) proposed for vessels or land plants shall be submitted to the Bureau of Agricultural Chemistry and Engineering for approval prior to the solicitation of bids. Such plans and specifications for every boiler of more than 15 lbs. pressure per square inch shall contain the provision that the boiler shall comply as to materials, workmanship and design with the A.S.M.E. code covering such equipment.

The chief administrative officer at every station at which boilers and/or pressure vessels are located shall see that one internal inspection and at least one external inspection of each boiler and pressure vessel (other than conventional laboratory equipment) is made annually by any competent inspector. Upon request, boilers and pressure vessels will be inspected by the Bureau of Marine Inspection and Navigation, Department of Commerce, without charge other than the travel expenses of the inspectors, and reports of their condition made to the Secretary of Agriculture. All reports of inspection, after consideration in the bureau concerned, will be promptly forwarded to the division of personnel relations, safety and health of the Office of Personnel, and where any such report indicates the existence of hazardous conditions, an accompanying letter of transmittal must show what remedial measures have been instituted.

DEPARTMENT OF AGRICULTURE
WASHINGTON

February 19, 1937.

AMENDMENT TO THE REGULATIONS

Amendment No. 17.

There appears on the reverse side of this sheet a paragraph, No. 1737, entitled "Inspection of Boilers," which should be added to the Regulations. This paragraph is promulgated effective immediately.

The following additions to the Table of Contents and the Index should be made:

Table of Contents:

"1737. Inspection of Boilers."

Index:

"Boilers, inspection of - - - - - 1737
Commerce, Department of, to inspect boilers- - - 1737
Inspection of boilers - - - - - 1737
Pressure vessels, inspection of - - - - - 1737"

H. Wallace

Secretary.

March 7, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 88.

A revision of regulation 1737, entitled "Inspection of Boilers," appears on the reverse side of this sheet. The reasons for this revision may be briefly stated as follows:

1. It appears administratively desirable to discontinue the practice of submitting any plans and specifications for boilers and pressure vessels to the Bureau of Marine Inspection and Navigation, Department of Commerce, for approval.

2. The implication that all plans and specifications must be submitted to the chief, division of purchase, sales, and traffic for approval, is eliminated as the Regulations of the Department contain no such requirement.

3. The inspection is to be made by either a representative of the Bureau of Marine Inspection and Navigation or by a "competent" inspector.

4. The procedure to be followed in disposing of the reports of the inspectors is more fully stated.

This regulation is promulgated effective immediately.

As the title and contents of regulation 1737 are being changed, the following changes should be made in the Table of Contents and in the Index:

Table of Contents:

Change "1737. Inspection of Boilers"

To "1737. Installation and Periodic Inspection of Boilers"

Index:

Add: "Reports of Inspectors of boilers and pressure vessels"

Harry L. Brown
Acting Secretary.

DISPOSAL OF REAL ESTATE

1741. Disposition of Real Estate.-- When real estate is controlled by the Department by permit or lease, it may be disposed of by the terms of such permit or lease or by an agreement where a consideration moves to the Government.

Where real estate occupied by the Department is owned by the Government and is no longer needed by the agency occupying same, it must be reported through the chief of the division of operation to the Division of Procurement, Treasury Department, in accordance with the act of August 27, 1935, Public No. 351, 74th Congress. Occupancy of real estate owned but not occupied by the Government may be by permit or lease. (1850)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Transportation

1811. Authorization to Travel. Paragraphs 3421 and 3422 describe formal authorization required for foreign or domestic travel.

Paragraphs 1511, 1512, 1522, and 1523 define more specifically the conditions under which authorization may be secured to attend meetings, judicial proceedings, expositions, or fairs, or to give addresses or make speeches.

1812. * Transportation at Official Station

1. Tickets, tokens, and passes furnished by the Department to its employees for necessary use on buses and streetcars within an official station in the transaction of official business are Government property. They have a cash value, which does not pass from the Government to the employee to whom issued, and they may be used only on necessary official business. A record must be kept of the receipt and issue of such tickets, tokens, and passes, in such manner as to show complete accountability for such items.

Each employee to whom tickets, tokens, or passes are issued will be charged therewith at the time of issuance, and should be informed they they are to be used only for the purpose for which issued, and that any not so used are to be returned to the issuing officer.

2. When properly authorized or approved, employees may be reimbursed for actual cost of streetcar and bus fares paid by them from personal funds for transaction of official business within an official station. (160)

3. When the use of a privately-owned vehicle within an official station is more advantageous to the Government than the use of other modes of transportation, reimbursement therefor may be made, after proper authorization or approval, on a mileage basis in accordance with paragraph 12(a)(1) of the Standardized Government Travel Regulations.*

Revised 10-21-46 (Amendment 230)

Domestic Transportation

1813. Employees Visiting Indian Reservations on Official Business.— Whenever a representative of the Department of Agriculture, in carrying out any cooperative agreement with the Department of Interior, shall find it necessary to visit any Indian reservation, the superintendent of such reservation shall be promptly notified thereof, and whenever such visitation is for any other purpose the consent of the superintendent shall first be obtained. Representatives of this Department about to visit any Indian reservation on official business should provide themselves with proper credentials, preferably Department identification cards.

FOREIGN TRAVEL

1821. Notification of Contemplated Visit.-

When officials of this Department contemplate traveling to any foreign country on official business and after approval has been secured from the Secretary in accordance with the fiscal regulations, a letter should be prepared in the bureau addressed to the Secretary of State for the signature of the Secretary, giving the names, titles, and purpose of the visit of the officials concerned as well as their itineraries and requesting that arrangements be made through appropriate channels for the extension of appropriate courtesies and facilities. (See Paragraph 3422.)

Officials proceeding abroad should not conduct business with officials of any foreign government without first consulting the Diplomatic Officer of the United States in the country concerned.

1822. Passports for Official Travel.- Applicants for passports for use on official travel should present to the Division of Passport Control, State Department, a letter from the Secretary of Agriculture addressed to the Secretary of State requesting the issuance of same. Application forms may be obtained and when executed will be acted upon in the Division of Passport Control, Department of State, Washington; at passport agencies in Chicago, New Orleans, New York, San Francisco, and Seattle; by clerks of all Federal courts; and by clerks of all State courts authorized to naturalize aliens (usually located at the county seat). For the passport itself when issued to official travelers or to their immediate relatives accompanying them on official trips, no fee is collectible; but a fee of \$1 (clerks of some State courts may under their regulations collect more) must be paid for execution of the passport application.

At ports of embarkation and in many large inland cities there will be found consular offices of foreign countries at which, before sailing, officers should have their passports visaed for all countries to be visited. Under reciprocal arrangements between the United States and foreign governments this service should be rendered without charge; if fee is demanded attention should be

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 4, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 37.

There appears on the reverse side of this sheet a substitute for the present paragraph 1821, entitled "Notification of Contemplated Visit." The revised regulation requires that Department officers traveling abroad shall consult the Diplomatic Officers of the United States before transacting business with officials of foreign governments.

The Department of State is desirous that Diplomatic and Consular Officers stationed in foreign countries be of the maximum helpfulness to representatives of this Department when traveling in foreign countries, and that all of the agents of this Government in foreign countries function with that high degree of coordination essential to achieve the desired results as well as to maintain correct relations with foreign countries.

The provisions of the substituted paragraph are promulgated effective immediately. Inasmuch as the title of the paragraph is included in the Table of Contents no change in same is necessary. The following items should be added to the Index:

"Diplomatic Officers, United States, consulting with - - - - - 1821
Foreign
governments, conducting business with - 1821
Officers, diplomatic, United States, consulting with - - - - - 1821"

W. L. Wilson

Acting Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Foreign Travel

1822 (cont.) drawn to the official character of the travel. The amount paid for execution of application for passport issued to official travelers (not for those issued to immediate relatives accompanying them) together with visa fees in case visas are not given gratis, the cost of photographs to be attached to passports, and the cost of necessary affidavits regarding citizenship may be claimed in the travel expense account. (1422)

1823. Health Certificates, Etc. Officials traveling abroad for the Department should also comply with all requirements of the countries which they expect to visit. Some countries require health certificates, police records, and similar documents, all of which should be secured in advance of departure. Foreign consular officers stationed in the principal cities will be able to furnish detailed information concerning the requirements which must be followed by travelers to their countries.

1824. Use of American Flag Ships Required.*(Canceled January 20, 1944. The legal provision on which Regulation 1824 was based (46 U.S.C. 1241) has been suspended for the fiscal year 1944 by the First Supplemental National Defense Appropriation Act, 1944 (Public Law 216, 78th Congress, approved December 23, 1943).)*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

MOTOR VEHICLES

1831. Use of Motor Vehicles

1. No officer or employee of the Department shall use a Government-owned motor vehicle in the District of Columbia unless its use in the District of Columbia shall have been *** authorized by law. Officers and employees shall not use Government-owned motor vehicles outside of the District of Columbia except those vehicles the maintenance of which has been authorized by law. Such vehicles shall be used for official business only. * Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned motor-propelled passenger-carrying vehicle, or of any motor-propelled passenger-carrying vehicle leased by the Government, for other than official purposes shall be suspended from duty without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. * Official purposes include use in emergencies threatening loss of life or property but do not include the transportation of officers and employees between their domiciles and places of employment, except in cases of officers and employees engaged in field work, the character of whose duties makes such transportation necessary and then only when the same is approved by the Secretary.

2. * All officers and employees should be constantly aware of the fact that storage of a Government vehicle at or near the residence of an employee on either a temporary or a semi-permanent basis tends to cause the public to believe that the vehicle may be used for other than official purposes. In addition to maintaining all necessary records to prove that the vehicle is used only for official purposes, every employee is urged to exercise the greatest discretion at all times in the use of all automotive equipment to avoid any question on the part of the public that there may be abuses.

3. Employees shall not keep Government-owned vehicles at their private residences unless such storage shall have been specifically approved by the Secretary. Requests for authorization to store such vehicles shall be submitted in duplicate to the Secretary with a full explanation of the circumstances which justify such storage and a certification by the employee that he is fully aware of the penalties provided in the event such vehicle should be used for other than official purposes. Administrative officers should submit for approval only those requests which are essential for the efficient conduct of public business. Requests can only be approved where it is clear that Government or commercial storage is not available within reasonable distances consistent with work requirements and responsibilities involved, or is not available at hours when service is required, or if available, that the garage cannot provide adequate protection to Government equipment or property which must be left in or near the vehicle. When the above conditions prevail, requests for authorizations to store at private residences will be generally evaluated in terms of the following:

a. Conditions require that the employee have the vehicle stored at a convenient, readily accessible location which may be at or near his residence in order that the employee may at all times be able to respond to emergencies with a minimum of delay.

b. The employee is stationed at a field point where he has no office and he proceeds directly from his residence to varying points for duty. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1831 (cont. 1) c. The employee is stationed at a field point where there is a local office but normally proceeds directly from his residence to varying points for duty.

d. The employee is required to depart and return from field trips at unusually early and late hours which cannot be avoided without serious handicap to the Government's work.

e. The calls for service are made at unusual hours and, even though public transportation may be available, the need for prompt attention does not permit of delay incident to obtaining such transportation, as, for example, where shipments require Government inspection without delay.

4. Requests for storage authorization for reasons other than those specified above will be considered on their individual merits as long as there is conclusive justification that such storage is necessary in the public interest.

5. Authorizations will be issued in the name of the individual and are not transferable. A new application must be submitted whenever circumstances, as reported in the original justification, change to such an extent as to make continued authorization questionable.

6. Each bureau is responsible for maintaining a record of all authorizations issued to its employees under this regulation and for making a review at least once a year to insure that all authorizations outstanding are essential.

7. The authorization referred to in paragraph 3 is not required in unusual instances in connection with field work when commercial or Government storage is not reasonably available, when brief storage at the employee's residence will promote the efficient performance of the Department's work, and when specifically approved by a responsible field official. A record of the trip must be maintained indicating the circumstances which made such storage necessary in the public interest, including the dates, itinerary, hours of use, departure, etc. This provision is intended to apply only when the need for storage at an employee's residence is very infrequent or cannot be foreseen.

1832. Operation of Motor Vehicles

1. * Department Motor Vehicle Operator's License. No person may operate a Department motor vehicle unless he possesses a currently valid Department motor vehicle operator's license (Form AD-103). Such licenses may be issued only to persons who are 18 years of age or over and who either possess a State motor vehicle operator's license granted after an examination, including a driving test, or have qualified by an examination, including a driving test, given by a responsible bureau official. A Department license shall not be issued to any person who, so far as is known, does not regularly drive safely. Such licenses are not transferable and must be surrendered on separation from the Department.

2. State Motor Vehicle Operator's License. In addition to his Department operator's license, each person operating a Department motor vehicle shall have a State motor vehicle operator's license currently valid in the State in which he resides or has headquarters, unless neither State issues or requires such a license. Any person who operates a Department motor vehicle registered in the District of Columbia shall *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1832. (cont. 1) * have a currently valid District of Columbia motor vehicle operator's permit. (D. C. Code 40:301-3.) The suspension or revocation of his State or District of Columbia license to operate a motor vehicle shall serve automatically as a suspension of the holder's Department motor vehicle operator's license. Thereafter he may not operate a Department motor vehicle until such time as his State or District of Columbia license has been revalidated.

3. Observance of State and Local Laws and Regulations. When operating any Government or private motor vehicle on official business, drivers shall strictly observe all State and local laws and regulations, both in letter and spirit, shall observe the accepted standards of safe driving, and shall exercise all possible care to avoid accidents. Drivers must not exceed speeds safe for prevailing conditions.

4. Persons Who Do Not Drive Safely Prohibited From Driving On Official Business. If any person is found to have been under the influence of intoxicants while operating a motor vehicle, to have committed a serious violation of traffic laws endangering public safety, to have engaged frequently in unsafe driving practices, or, for any reason, to be no longer competent to drive safely, even though his State license is not suspended or revoked, his Department motor vehicle operator's license, if any, shall immediately be suspended and he shall be prohibited from driving a Departmental or private motor vehicle on official business until a responsible bureau official determines that there is good reason to believe that he will drive safely. (See also Regulations 2912 and 2913 relating to investigation and reporting of misconduct, etc.)

5. Inspection of Motor Vehicles. All Department motor vehicles must be thoroughly inspected at least once a year by a person qualified to make such an inspection to determine that they are in safe driving condition. A vehicle shall not be operated when it has a defect, such as faulty brakes, lights, or steering gear, which might lead to an accident.

6. Care in Handling Department Motor Vehicles. Employees operating Department motor vehicles shall exercise the same care in handling and economy in operation which they would exercise were the vehicles their personal property. Proper storage must be provided. *

1833. Liability of Employees Operating Government-Owned Motor Vehicles. In case of accident or collision Government drivers and other Government employees are, insofar as possible, to observe the following regulations:

(Continued on next page)

Motor Vehicles

(a) Render, immediately, all possible aid to any injured persons.

(b) Remove without delay all obstructions from the highway caused by the accident which may endanger other travelers.

(c) Fill in Drivers Report (Standard Form No. 26) "on the spot" so far as possible; make note of all the evidence relating to the accident, such as measurements as to the position of the cars on the highway, skid marks, wheel tracks, etc.; and obtain the names and addresses of all witnesses. Copies of this report form shall be carried by all departmental drivers.

(d) Report the accident and deliver this Driver's Report promptly to an immediate superior.

(e) A complete investigation of the accident shall be made as soon thereafter as is practicable by an investigating officer, who shall be appointed for the purpose by the highest ranking administrative officer in the vicinity of the accident. Said investigating officer shall properly fill in "Standard Form No. 27" and shall supplement same with a detailed and unbiased written report of all facts and circumstances in connection with the accident or collision.

(f) Under no circumstances are departmental employees to:

(1) Encourage a private party involved in an accident to present a claim against the Government or assist in the prosecution of a claim once filed. The aggrieved party may be informed as to his rights in this respect, but should not be encouraged to file a claim.

(2) Promise or indicate that any form of settlement will be made.

(3) Endeavor or promise to compromise a claim for damages arising out of an accident or collision.

General Notes

The first part of the report deals with the general situation of the country and the progress of the work during the year.

The second part contains a detailed account of the work done in the various departments during the year.

The third part contains a summary of the results of the work done during the year, and a statement of the progress made in the various departments.

The fourth part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

The fifth part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

The sixth part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

The seventh part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

The eighth part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

The ninth part contains a statement of the progress made in the various departments during the year, and a summary of the results of the work done.

Motor Vehicles

(4) Threaten officially or personally abuse the private party or parties involved.

(5) Fail to submit without protest to any reasonable investigation conducted by the private party or officers of the law relating to the accident or collision.

(6) Address letters to members of Congress or other public officials relating to such claims without prior administrative approval.

(g) Where the aggrieved or injured party manifests his desire to file a claim covering his damages, he should be required:

(1) To fill in and submit, through the Department office concerned, a formal claim for damages, supported by statements of all his available witnesses.

(2) To submit a receipted and itemized bill covering the cost of repairs for the damage incurred or, in lieu thereof, at least two itemized estimates or appraisals of the damage.

(3) Where the damage relates to personal property, to submit a statement setting forth the value of the property before it was damaged and its present market value.

(h) The respective departmental officers concerned, upon receipt of such claims and supporting material, are to add thereto the report of the investigating officer, statements of witnesses, and copies of all correspondence relating to the claim, and any other pertinent material, and refer the entire file, with whatsoever recommendation the said officer deems advisable, to the director of finance for transmittal to the office of the solicitor of the Department.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1834. Marking of Vehicles

1. *All motor vehicles and trailers owned by the Department, or leased by it for a period exceeding six months, and operated on the public highways in the United States by the Department, except as hereinafter provided, shall bear at all times the official United States Government identification shield and immediately thereunder a Department and bureau identification in white letters as follows:

DEPARTMENT OF AGRICULTURE 1" letters

BUREAU OF (if required) $\frac{1}{2}$ " letters

(Name, or rest of name, of
bureau or office) $\frac{3}{4}$ " letters

The shield and Department and bureau identification shall be displayed as follows:

Passenger Cars, Trucks, Busses, and Ambulances. Centered on both front door panels, or in as nearly equivalent position as is possible where there is no door.

Trailers. Centered on both sides.

Motorcycles. To be used only on those having sidecars. On these, the shield shall be centered on the outside panel of the sidecar.*

2. *If the use of the Department and bureau identification prescribed above is impracticable in particular cases, official agency name plates bearing the words "Department of Agriculture" followed by the name of the bureau or office, and designed as prescribed by the Bureau of the Budget, may be attached to the official Government tags in lieu of the use of the above-prescribed Department and bureau identification; provided, that such agency name plates may not be used on passenger-carrying vehicles in lieu of the above-prescribed Department and bureau identification. Details of the prescribed design for agency name plates should be obtained from the Office of Plant and Operations.*

3. *The shields and Department and bureau identification shall be removed when a vehicle is sold or otherwise retired from service in the Department, except that the shields shall not be removed when a vehicle is transferred to another Government agency.*

4. *The shields and Department and bureau identification shall not be used on a privately owned vehicle unless it is leased by the Department for a period exceeding six months.*

5. *Exemptions. Vehicles assigned for the use of the Secretary are exempted from bearing the markings prescribed by this Regulation. Vehicles already bearing shields larger than the official Government shield need not be re-marked with the markings prescribed by this Regulation unless such action becomes necessary because of illegibility or defacement of the shields already in use. Other exemptions will be made only upon the authorization of the Secretary and, where required, the approval of the Director of the Bureau of the Budget. (75)*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1835. *Certificates of Title to Motor Vehicles

1. When a Department motor vehicle for which a certificate of title has not been obtained is sold or exchanged, and the purchaser requests a certificate of title or other evidence for use by him in obtaining a certificate of title, the appropriate official of the bureau concerned shall furnish the purchaser a certificate addressed "To whom it may concern" stating that the vehicle (showing make, model, and engine number) was purchased on a certain date from a specific manufacturer or dealer, that no certificate of title was ever obtained for it as it was the property of the Federal Government, that there are no liens outstanding against it, and that it has been sold or transferred to the purchaser (showing his name) for valuable consideration.*

2. *When a bureau desires a certificate of title for a Department motor vehicle, wherever located, such certificate shall be obtained through the Office of Plant and Operations from the District of Columbia Government, and shall be executed in the name of the United States Government, Department of Agriculture. (115)*

3. *When a Department motor vehicle for which a certificate of title has been obtained is sold, exchanged, or transferred out of the Department, the certificate shall be assigned to the purchaser or transferee by the Chief of the Office of Plant and Operations, or by someone designated for the purpose by the Chief of that Office, or by an appropriate official of the bureau concerned.*

1836. *Identification Tags for Department Vehicles

1. Display

a. All motor vehicles and trailers owned, or leased for a period exceeding six months, and operated on public highways in the United States by the Department, except as provided in paragraph "d" below, shall bear at all times the official United States Government identification tag. The tags for vehicles other than trailers and motorcycles shall be attached to the front and rear of the vehicles, except that if only a single tag is available, it shall be attached to the rear. The tags for trailers and motorcycles shall be attached to the rear only.*

b. *The official tags shall not be used on a privately owned vehicle unless it is leased by the Department for a period exceeding six months.*

c. *Other identification tags or plates in addition to those prescribed herein shall not be used, except as provided in Regulation 1834.*

d. *The use of state tags instead of the official Government tags may, when required by the public interest, be authorized by the Secretary with the approval of the Director of the Bureau of the Budget.*

2. Procurement

a. *For Vehicles Outside District of Columbia. Tags for vehicles located and operated outside the District of Columbia shall be requisitioned through bureau channels from the Central Supply Division.*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1836 (cont.)

b. *For Vehicles in District of Columbia. Tags for vehicles located and operated in the District of Columbia shall be procured through the Office of Plant and Operations from the District of Columbia Government.*

3. Records

a. *Tags for Vehicles Outside District of Columbia. The Office of Plant and Operations shall maintain a record of the serial numbers of all tags issued to each bureau for vehicles located and operated outside the District of Columbia. A record shall be maintained currently by each bureau of the use and disposition of all such tags issued to it, including a record of the vehicle to which each tag is attached. Responsibility for keeping this record may be delegated or redelegated to responsible field officials, in accordance with the policy of the bureau, provided the official making such delegation or redelegation keeps a record of the blocks of tags involved. It must be possible at all times, in the event of accident, theft, etc., to identify promptly from the records kept at the Department, bureau, and field levels the vehicle to which a given tag is attached at any given time.*

b. *Tags for Vehicles in District of Columbia. The Office of Plant and Operations shall maintain currently a record of the use and disposition of all tags obtained for vehicles located and operated in the District of Columbia, including a record of the vehicle to which each tag is assigned.*

4. Removal and Transfer

When a vehicle is sold, transferred to another bureau or department, or otherwise removed from service, the tags shall be removed. When a vehicle is transferred from one organizational or administrative unit to another within a bureau, the tags may be either transferred with the vehicle or removed therefrom, in accordance with the policy of the bureau; when tags are so transferred, a report thereof shall be made promptly through bureau channels to each official whose record of tags is made incorrect or incomplete by the transfer (see paragraph 3). Except as provided above, the tags shall be used on the vehicle to which they are originally attached until their replacement becomes necessary because of mutilation or defacement.

5. Disposition of Tags Removed

a. *From Vehicles Outside District of Columbia. Tags removed from vehicles located and operated outside the District of Columbia shall, if still serviceable, be transferred to other vehicles or returned to the official maintaining the record of the specific assignment of the tags. If the tags are unserviceable, they shall be thoroughly defaced to prevent their being re-used for unauthorized purposes. Such transfers or defacement shall be reported by tag numbers to the official maintaining the record of specific assignment of the tags.*

b. *From Vehicles in District of Columbia. Tags removed from vehicles located and operated in the District of Columbia shall be returned promptly to the Office of Plant and Operations, except that such tags may be transferred to other vehicles operating in the District when authority for such transfers is obtained from the District Government through the Office of Plant and Operations.*

Motor Vehicles

1836 (cont. 2)

6. Reports of Loss or Theft of Tags

Any loss or theft of tags or subsequent recovery thereof shall be reported immediately to the local or state police and to the official maintaining the record of specific assignment of the tags.

1837. Maintenance and Operation Cost Records for Motor-Propelled Vehicles. Each bureau shall maintain an individual record of the cost of operations, maintenance, upkeep, and repair of every motor-propelled vehicle owned and operated by it. It shall be the responsibility of the Director of Finance to prescribe methods of recording and reporting these costs so that data will be available for budgetary purposes and for efficient management of the equipment. (76, 77) (56 Stat. 226)

1838. Operation and Servicing of Motor Vehicles in the District of Columbia. The Office of Plant and Operations will furnish all motor truck transportation services required by the bureaus in the District of Columbia, unless the Chief, Office of Plant and Operations, in consideration of certain facts and circumstances, has specifically authorized or approved some other arrangement. Motor trucks owned or controlled by the several bureaus shall not be headquartered in the District of Columbia without such authorization.

Repairs to and servicing (including washing and greasing) of motor vehicles owned by the Department and operated by the bureaus in the District of Columbia shall be obtained through the Office of Plant and Operations. This service is also available and must be utilized whenever motor vehicles not coming within the above classification are in the District of Columbia and in need of such services. Requisitions for repairing and servicing of motor vehicles shall be made on the forms prescribed for that purpose and reimbursement for work performed by the Office of Plant and Operations will be made by the bureaus in the usual manner.

Mr. Parker

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

LIBRARY MATERIALS; NEWSPAPERS

✓ 1911. Definitions. As used under this heading,

1. Expendable Published Materials are published materials which are purchased or otherwise acquired for clipping, distribution, or other similar use, and the possible usefulness of which is exhausted in a relatively brief period.

2. *Non-expendable Published Materials are all others which do not come under 1 above.*

✓ 3. Working Tools are non-expendable published materials which the Department Librarian designates as needed so constantly for the use of one or more employees in a single office that they must be kept available in the office in which they are used. Only published materials which are used at least once a month by those to whom the materials are assigned may be classified as working tools.

4. *Newspapers are publications, usually recognizable by their characteristic form and style, containing general and current news, designed to be read by the public generally, although the type of news may be of interest only to a particular and more or less limited class or group of people. The term as used in appropriation acts and public laws dealing with authorities to purchase newspapers also includes services such as commercial press clipping services, which perform the same function as newspapers. Newspapers, except those purchased for permanent filing in the Department Library, are expendable.*

1912. Responsibilities *** for Acquisition and Use of Published Materials.

1. The Department Librarian (a) shall determine the policies governing the *purchase from public funds of all published materials except newspapers;* (b) shall purchase or otherwise acquire all published materials for use in Washington or the field, except expendable published materials costing not more than \$1 each; and (c) shall supervise the use of published materials which may be acquired by or are now in any bureau.

2. *Purchases of newspapers from public funds shall be made only after approval by the Director of Information. The Director of Information shall consider the relative needs of the various bureaus and shall approve purchases of newspapers only when, in his opinion, their use is necessary to formulate and execute programs and policies of the Department. No newspaper shall be purchased for the personal use of an employee.*

1913. Ownership of Published Materials. All non-expendable published materials, regardless of the funds from which purchased or the method of acquisition, shall be the property of the Department Library.

1914. Availability of Funds for Purchase of Published Materials.

1. Expendable published materials shall be purchased only from *bureau funds, except that bureaus without funds available for purchase of newspapers may request such purchase from Library funds.*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Library Materials; Newspapers

1914 (cont.)

2. Working tools shall be paid for from funds available to the bureau requesting purchase, if such funds may be expended for this purpose.

3. Law books, books of reference, periodicals, newspapers, and other published materials for use at the seat of government may be purchased only from appropriations specifically providing therefor. (1739) This restriction does not apply to published materials for field use, except for newspapers.

1915. Loan of Working Tools.

1. Published materials may be borrowed from the Department Library either as working tools or as other library materials. Published materials loaned as working tools shall be loaned only to bureaus, rather than to individuals. When the Department Library has only one copy of a publication, it may be assigned as a working tool only in exceptional cases. Published materials borrowed as working tools and no longer required by a bureau for such use shall be returned promptly to the Department Library. Published materials assigned as working tools shall be recalled by the Department Library only in emergencies. The chief of each bureau shall hold any individual in his bureau to whom a working tool is assigned strictly accountable for its preservation.

2. An annual inventory of working tools in each bureau shall be made by the bureau at such time as may be agreed upon by the Department Librarian and the bureau chief, and a copy of the inventory record shall be sent to the Department Library. The Department Librarian shall review such inventory, and shall, in consultation with the chief of the bureau, determine the working tools to be retained by the bureau and those to be returned to the Department Library.

1916. Loan of Other Library Materials.

1. Library materials may be borrowed by employees from the Department Library or from any of its branches or other facilities for periods not longer than one month, and briefer periods of loan shall be set by the Department Librarian for those materials which are needed by others. Materials borrowed for a month may be renewed for an additional month upon the borrower's request if they are not needed by others. Any library material, regardless of the period for which loaned, is subject to recall by the Department Library for the use of others when the need for the material is urgent.

2. Employees borrowing library materials shall be held strictly accountable for their use, preservation, and safe return within the loan period. Failure to return library materials when due may result in the withdrawal of loan privileges. Failure to replace library materials lost or damaged or to make reimbursement therefor shall be reported by the Department Library to the chief of bureau concerned, who shall see that the record is cleared.

3. Any employee leaving his official station for more than one week shall immediately return any library material charged to him. No employee shall take library material from the station at which it was charged to him without first obtaining the permission of the Department Library or the branch from which it was borrowed.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

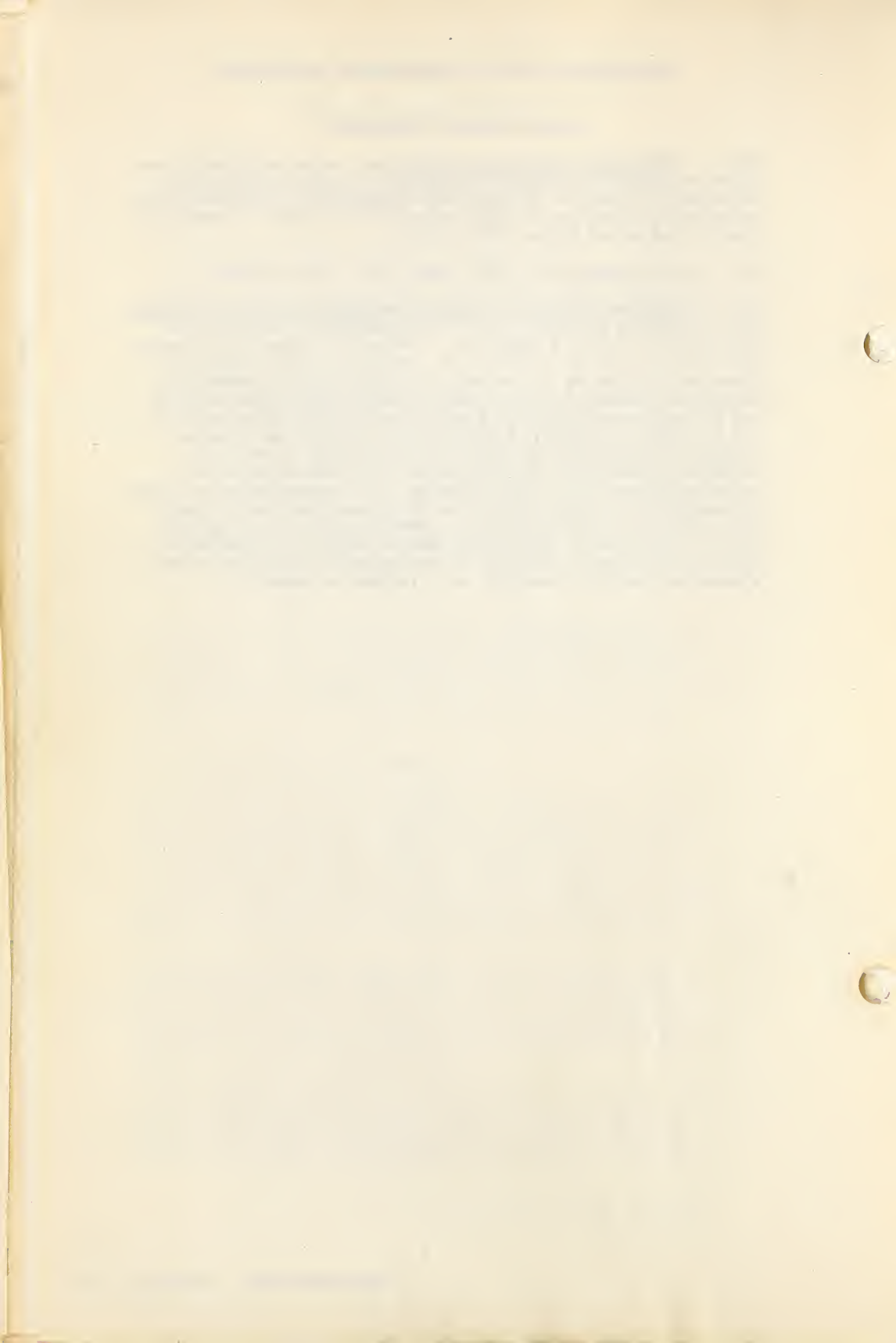
Library Materials; Newspapers

1917. Disposition of Published Materials. Books, periodicals, and other non-expendable published materials no longer required in any bureau shall be sent to the Department Library, which may retain them, exchange them for other published materials, or dispose of them otherwise, as authorized by law. (166, 1975)

(See also Regulations 1346, 1371, 1372, 1373, 1375, and 3182.)

1918. * Published Materials Procured from Superintendent of Documents. Any publications procured from the Superintendent of Documents are classified as Published Materials. A charge is included in the price for costs of handling, stocking, etc. When purchased in this way, these publications are in the same category as books purchased from a commercial bookstore. They may not be charged against the Printing and Binding Appropriation but must be charged against appropriations for Salaries and Expenses if available for the purchase of books (appropriations are not available for the purchase of law books, books of reference, and periodicals for use in Washington unless specifically provided in the law granting the appropriation) or if not available, to the funds available to the Library for this purpose. Such publications should be procured whenever possible through the Office of Information on the Department's "periodic requisition" on the Public Printer, as provided in Regulation 1358, thus saving the charges for handling, stocking, etc., referred to above. *

Amend. - 2-27-44



GENERAL PROVISIONS

2111. Contacts with the Civil Service Commission.- All requests on the Civil Service Commission affecting any changes in personnel and all correspondence relating thereto shall be prepared in the office of personnel upon recommendations submitted through the director of personnel by the chiefs of bureaus. Questions involving interpretation of and changes in the Civil Service rules and regulations shall be referred through the chief of bureau to the director of personnel for attention. (All contacts with the Civil Service Commission shall be made through the director of personnel and the divisions operating under his supervision.)

2112. Appointment of Employees Paid from Emergency Funds.- All appointments and reappointments made by the several executive departments, independent establishments, and emergency agencies, the salaries in connection with which are paid from emergency funds as distinguished from the appropriations for the regular activities of the Government, shall be made and specifically designated as either temporary or emergency appointments and in the case of emergency appointments shall be expressly limited as to the duration thereof to a period not extending beyond the expiration of the emergency appropriation from which such salaries are paid.

2113. State and Territorial Positions.- With the approval of the Secretary, employees of the Department may hold state and territorial positions and state and territorial employees, unless prohibited by law, may receive appointments under the Department, when in either case the Secretary deems such employment necessary to secure a more efficient administration of the duties of the Department.

General Provisions

2114. Acceptance of Voluntary Service Prohibited.- The acceptance of voluntary service for the Government or the employment of personal service in excess of that authorized by law, except in cases of sudden emergency, involving the loss of human life or the destruction of property, is prohibited.

The words "voluntary service," as employed in this connection, are not intended to cover services rendered in an official capacity under regular appointment to an office otherwise permitted by law to be nonsalaried.

Appointments of collaborators for services recognized and agreed to as gratuitous will be without compensation. Where an appointee is to perform a specific service, a definite remuneration will be indicated in the appointment paper and a title employed which shall properly describe the character of the contemplated service.

No person will be appointed a collaborator without compensation in the Department of Agriculture if that person is already under appointment in this Department, either as a collaborator or in some other capacity, since one appointment in a bureau or office of this Department is sufficient for the person to operate or function as a collaborator for any other bureau or office of the Department.

In general, individuals engaged in commercial enterprises will not be considered for appointment as collaborators. (1732)

2115. Employment of Publicity Experts Prohibited.- The Department is prohibited by law from paying the compensation of publicity experts from any of its appropriations, and chiefs of bureaus will see that no publicity expert is employed. (57)

2116. Aiding Others to Pass Civil Service Examinations Prohibited.- Under penalty of removal from the public service, employees are prohibited from giving instruction to or being concerned in any manner directly or indirectly in the instruction of persons or classes of persons preparing for civil service examinations, either privately or in schools or institutions claiming to give instruction along the lines of civil-service examinations. Employees are also prohibited from becoming concerned financially or otherwise in such schools or institutions.

2117. Preference to Honorably Discharged Soldiers, Sailors, and Marines, and Their Widows and Wives.- Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

In making appointments to clerical and other positions in the executive branch of the Government in the District of Columbia, or elsewhere, preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such and to the wives of injured soldiers, sailors and marines, who themselves are not qualified but whose wives are qualified to hold such positions. (36, 37, 38)

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 21, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 71.

A revision of regulation 2114, entitled "Acceptance of Voluntary Services Prohibited" appears on the reverse side of this sheet. It appears desirable to restrict the holding by an individual of more than one appointment in the Department as a collaborator.

The provisions of the regulation, as revised, are promulgated effective immediately.

Inasmuch as this subject has been included in the Table of Contents and the Index, no addition need be made to these sections.

W. B. Wilson

Acting Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

General Provisions

2121. Appointments, Departmental Service. Unless otherwise provided by law, every person entering the service of the Department in the District of Columbia will be appointed by the Secretary, at the minimum salary rates prescribed for the appropriate grades under the Classification Act. No person appointed in the Department shall be permitted to enter upon the performance of his duties until the appointment has been approved by the Secretary. Chiefs of bureaus are authorized to recommend appointments to fill vacancies in their respective organizations, and to recommend promotions, demotions, dismissals, transfers, reinstatements, and other changes of personnel status. (43, 45, 46, 146, 216, 1730, 1731)

2157. Oath of Office.***

1. *Except as provided in paragraph 5, an oath of office must be executed, in all cases of original appointment, before any payment of salary can be made.* The oath of office should in no case be executed before the appointment is authorized by the Department. (11)

2. Oaths of office must be taken without expense to the United States. The oath of office may be taken before any officer who is authorized, either by the laws of the United States or by the local municipal law, to administer oaths in the State, Territory, or district where such oath may be administered. If there is no provision for authentication under seal by the executing officer, the qualifications of such officer shall be shown by a certificate of the clerk of court or other officer in charge of the record of his appointment or election.*** (12, 14)

3. When an oath of office is administered by a justice of the peace, his official capacity should be certified to by a clerk of a court of record of the county in which the justice of the peace resides.

4. A postmaster, who is not also a notary public, is not authorized to administer oaths of office to employees of the Department.

5. An employee who, upon original appointment, has subscribed to the oath of office is not required to renew the oath because of change in status so long as his services are continuous, unless the *Director of Personnel, at the direction of the Secretary or the War Food Administrator,* requires such renewal. Forest guards and other field employees engaged for temporary or occasional service are not required to take an oath of office.*** (13)

6. *Waiver or modification of the oath of office may be made by the Director of Personnel in any case where such oath is not required by law.*

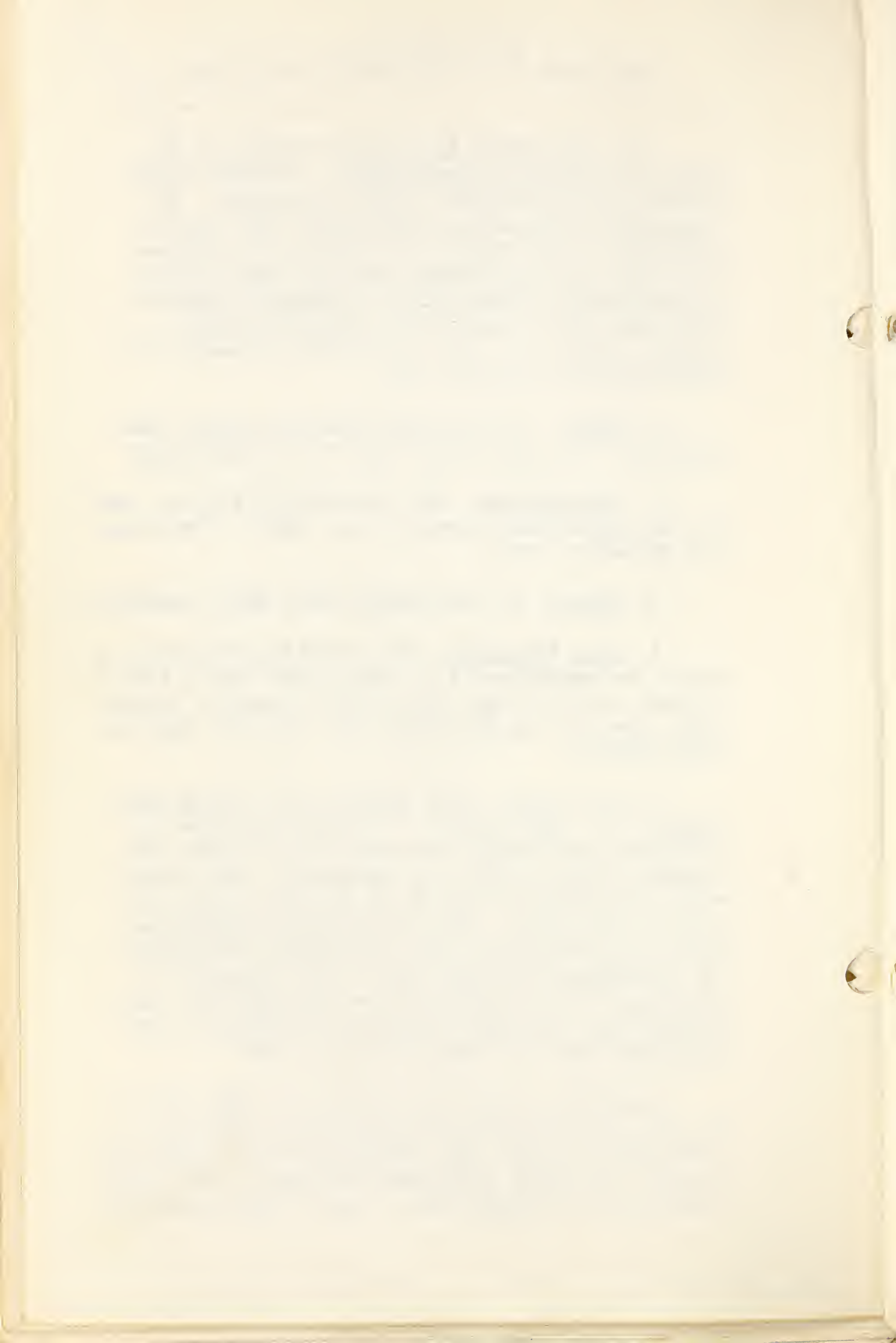
Field Service -
Appointments to Unclassified Positions

2162. Emergency Appointments Prior to Receipt of Notice of Appointment.- Persons recommended for appointment, either permanent, or temporary (original or extension), must not be assigned to duty before the receipt of information that the appointment has been approved by the Secretary of Agriculture. Emergency appointments may be recommended by telegrams which should contain all the information necessary for administrative action, viz:

1. Name. In full, when possible, rather than initials, with particular care in the spelling;
2. Designation. The title which will be used in the appointment papers, i.e., Junior Clerk, Junior Forester, etc.;
3. Salary. On the yearly basis where possible;
4. Date Effective. This should be the date on which the appointee is to enter upon duty - not, of course, prior to that upon which it may be reasonably expected the Secretary will sign the appointment papers.

If the bureau chief approves the telegraphic request for appointment, he should endorse the telegram accordingly and send it by special messenger to the director of personnel. The bureau will be promptly notified of the Secretary's action on the case. This telegraphic appointment will be confirmed as soon as possible thereafter by recommendation submitted to the director of personnel on the standard form provided for such purpose and the usual formal notification of appointment will be issued in due course.

Pursuant to the act of June 26, 1930, Public No. 441, the Secretary may delegate authority to subordinates under such regulations as he may prescribe, to employ personnel for duty in the field service of the Department. Use of this delegated



Field Service -
Appointments to Unclassified Positions

authority will be strictly confined to cases where mail transmitted between the field and Washington would delay urgently needed employment to the prejudice of the service.

The Department will not accept as satisfactory the report of a field officer that any person was improperly assigned to duty through oversight, carelessness, indifference to instructions, or failure to take the necessary steps in sufficient time to permit action by the Department.

2163. Employment Under Letter of Authorization. In case of the need of emergency assistance outside of Washington, D. C., employment under Letter of Authorization is authorized, as provided in Personnel Circular No. 42 (Revision I), and any revisions or supplements thereto which may be issued from time to time by the Director of Personnel.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 127

June 11, 1941

On the reverse side of this page appears a revision of Regulation 2163, entitled "Employment Under Letter of Authorization," which supersedes Amendment No. 22, dated April 7, 1937, and is promulgated effective immediately.

The revised Regulation authorizes employment in the field service under Letter of Authorization, as provided in Personnel Circular No. 42 (Revision I), and any revisions or supplements thereto.

No changes in the Table of Contents or in the Index will be necessary.

Paul H. Appleby

Under Secretary.

HOURS OF DUTY

2211. Hours of Duty. Hours of duty in the Department of Agriculture are hereby established in accordance with the provisions of Personnel Circular No. 108 (Revision I), and any revisions or supplements thereto which may be issued by the Director of Personnel, at my direction.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 138

January 20, 1942

On the reverse side of this page appears a revision of Regulation 2211, entitled "Hours of Duty," which supersedes Amendment No. 129, dated July 26, 1941, and is promulgated effective January 26, 1942.

The revised Regulation authorizes hours of duty in the Department as provided in Personnel Circular No. 108 (Revision I), and any revisions or supplements thereto which may be issued by the Director of Personnel.

No changes in the Table of Contents or in the Index will be necessary.

Claude B. Wickard

Secretary

PRINCIPLES OF CLASSIFICATION

2311. Classification Act of 1923.-- "The Classification Act of 1923" provides that "the head of each department shall allocate all positions in his department in the District of Columbia to the appropriate grades in the compensation schedules contained in Section 13 of the Act, and shall fix the rate of compensation thereunder in accordance with the rules prescribed in Section 16 herein. Such allocations shall be reviewed and may be revised by the Personnel Classification Board" (now U. S. Civil Service Commission).

Classification of the field service (allocations covering positions customarily located outside the District of Columbia, not subject to approval by the Civil Service Commission) will be made by the head of the Department through the director of personnel.

2312. Organization Changes to be Approved by Director of Personnel.-- Where organizations or reorganizations are planned within the various bureaus, in Washington or in the field, involving the establishment, discontinuance, merger, or other change in the status or personnel of constituted parts of a bureau, such organization or reorganization plans shall be submitted in advance to the director of personnel. No such changes are to be made until such plans have been approved by the director of personnel.

CLASSIFICATION PROCEDURE

2321. Procedure for Allocation of Positions.-- Allocations will in all cases be reported to the director of personnel, on Classification Sheet, Civil Service Form 2931 (January, 1934).

The classification sheets will be typewritten in triplicate and will be signed by the officer or employee who prepares them, and will be reviewed and signed by the head of the bureau where the employee works or by someone designated by him for the purpose.

Classification sheets must be numbered in series by the reporting officers (usually the bureau personnel officer) in the space provided for the purpose in the upper right-hand corner.

The bureau recommendation for allocation and the Department allocation should be indicated by symbol in the block provided for the purpose in the upper right-hand corner.

2322. New Appointments.-- Additions of employees by certification, by reinstatement, and by transfer will be reported as new appointments.

2323. New Positions.-- Whenever a bureau or office creates a new position the Commission's approval of the allocation of such position should be secured in advance of appointment to the position. The term "new position" as used in this connection means either (1) a position newly created in addition to positions already in existence; or (2) a position that takes on a new character because of a material and substantial change in the position resulting either from (a) the addition of entirely new duties or responsibilities; (b) the abandonment of old duties or responsibilities; or (c) a difference in time distribution or a decrease or increase in importance of duties or responsibilities.

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Classification Procedure

2324. Change in Duties and Other Changes.-

A change in duties will be reported whenever there is a permanent and material change in the character of an employee's work, from that previously reported to the Commission. It may occasionally be desirable to submit a classification sheet which does not involve a change in grade: as for example, when it is considered necessary to bring a job description up to date, or where there has been a reorganization of work without involving a material change in the positions.

2325. Vacancies and Old Positions.- In the case of an existing position which has already been allocated by the Commission, the allocation continues to apply to that position as long as the duties and responsibilities remain unchanged.

2326. Detail of Employees.- An employee may be detailed from one position to another without having a new classification sheet submitted indicating such change, provided the period of detail does not exceed one hundred and twenty (120) days. If the period of detail does exceed one hundred and twenty days a new classification sheet should be prepared and forwarded through channels to the director of personnel of the Department for approval by the Civil Service Commission. (See also Paragraph 2712.)

2327. Title of Position.- The classification title of a position should be given on line 9 (C.S.C. Form 2931), after which should be shown the customary office title: to illustrate, Clerk (bookkeeper); Jr. Administrative Assistant (head clerk).

2328. Description of Work.- The description of the work performed should be prepared with care and should show clearly, concisely, and accurately, the actual duties of the employee. Superfluous adjectives and general terms as "handle," "assist,"

Classification Procedure

etc., should be avoided. No conclusions such as "performs the most difficult work," "requires specialized knowledge," etc., should be incorporated in the description. The facts should be given and the classification officers allowed to reach their own conclusions.

2329. Qualifications of Employees.- The actual qualifications and experience of each person who is allocated to the Professional or Subprofessional service, or to any grade above Grade 3 of the Clerical, Administrative and Fiscal service should be given. In every case the employee's experience and other special qualifications which are pertinent to the position reported should be stated.

If the person to be appointed has not been determined upon, the minimum qualifications which are to be required should be stated in the space provided for the qualifications of the employee. When the position is filled a classification sheet for the individual who is selected will be immediately prepared and forwarded to the director of personnel.

The first part of the history of the world is the history of the human race. It is a history of the progress of the human mind, of the growth of the human soul, of the development of the human character. It is a history of the human race, of the human mind, of the human soul, of the human character.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

2412. Vacancies to be Filled by Promotion Wherever Possible. As a general policy, vacancies in positions will be filled by the promotion of employees of lower grade if they are available and have qualifications equal to persons not in the service. Promotion of an employee to a position for which he has not previously qualified through an examination requires the prior approval of the Civil Service Commission.

It is the policy of the Department to recognize conspicuous accomplishment by appropriate increases in compensation, and the need is emphasized for rigid adherence to a promotion program which excludes from consideration all factors other than constructive and effective service.

ANNUAL AND SICK LEAVE

2511. Leave - Annual and Sick. All officers and employees of the Department will be governed with respect to annual and sick leave by Personnel Circular No. 107 and any supplements thereto issued from time to time by the Director of Personnel.

[Handwritten signature]

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 26, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 119

A consolidation of Department Regulations 2512, 2521, and 2522 with Regulation 2511, the title of which has been changed to "Leave - Annual and Sick," appears on the reverse of this page.

The revised Regulation consists of a cross reference to Personnel Circular No. 107 which includes detailed instructions on sick and annual leave revised in accordance with Executive Orders Nos. 8384 and 8385 issued pursuant to the Act of March 2, 1940, and with decisions of the Comptroller General. These instructions are not repeated in the Regulation book because of their length and the fact that they are subject to constant change as new interpretations are issued.

This amendment is issued effective immediately, superseding Amendments Nos. 66, 67, 68, 69, 78, and 79.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes: 2511 to "Leave - Annual and Sick"

Deletions:

- 2512. Annual, for Employees Assigned to Duty Outside the Continental Limits of the United States
- 2521. Sick, for Employees Assigned to Duty Within the Continental Limits of the United States
- 2522. Sick, for Employees Assigned to Duty Outside the Continental Limits of the United States

Index

Changes: Sick leave from "2521" and "2522" to "2511"

Deletions:

- Alaska,
 - annual leave for employees in - - - - - 2511, 2512
 - sick leave for employees in - - - - - 2522
- Annual leave of absence - - - - - 2512
- Departmental, employees, annual leave for - - 2511, 2512
- Detail, leave records - - - - - 2511
- Field,
 - employees, annual leave for - - - - - 2511
 - employees, sick leave for - - - - - 2512, 2522
- Foreign, Agricultural Service, leave - - - - 2511
- Hawaii,
 - annual leave for employees in - - - - - 2511, 2512
 - sick leave for employees in - - - - - 2512, 2522
- Leave, annual, of absence - - - - - 2512
- Puerto Rico,
 - annual leave for employees in - - - - - 2511, 2512
 - sick leave for employees in - - - - - 2522
- Saturdays, annual leave on - - - - - 2511
- Separation, leave which may be granted on - - 2511, 2512
- Sundays, annual leave on - - - - - 2511
- Temporary employees entitled to leave - - - - 2511, 2512

Paul H. Huppelch

Under Secretary.

MILITARY LEAVE

2551. General Conditions. Military leave may be granted only to permanent employees and shall be without loss of time, pay, or efficiency rating. Temporary employees are not entitled to leave of absence with pay.

2552. Members of District of Columbia National Guard. Members of the National Guard of the District of Columbia may be granted military leave on all days of service which they may be ordered to perform by the commanding general without limit as to the number of days. (1764)

2553. National Guard Outside the District of Columbia. Members of the National Guard outside the District of Columbia (whether employed at Washington, D. C., or elsewhere) may be granted military leave on all days without limit during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of the National Defense Act of June 3, 1916, but not including other duty under orders of the governor of a State. (1764)

2554. Naval Reserve and Marine Corps Reserve. Members of the Naval Reserve (Fleet Reserve, Organized Reserve, Merchant Marine Reserve, and Volunteer Reserve) and the Marine Corps Reserve, whether of the District of Columbia, or otherwise, and wherever employed, may be granted military leave with pay for periods not to exceed 15 days in any one calendar year, Sundays and holidays included, whenever they engage in training duty ordered or authorized by competent authority. Members of the Naval Reserve who have exhausted military leave and take regular annual leave to cover military duty in excess of 15 days may receive both Department salary and Naval Reserve pay and allowances for the additional period, irrespective of the aggregate amount. However, at any time after July 1, 1936, such members of the Naval Reserve may prior to the exhaustion of accumulated and current accrued annual leave be granted leave without pay during such period in excess of 15 days. (1767)

2555. Officers' Reserve Corps. Members of the Officers' Reserve Corps (whether employed in the District of Columbia or elsewhere) may be granted military leave on all days during which they shall be ordered to duty with troops or at field exercises, or for instruction, for periods not to exceed 15 days, Sundays and holidays included, in any one calendar year.

An employee of the Department who is also a member of Officers' Reserve Corps may receive, for the period of military leave described above, the salary of his office or position, regardless of the rate thereof, and the pay and allowances of his grade as an officer of the Officers' Reserve Corps, while performing service ordered under the provisions of section 39 of the National Defense Act of June 3, 1916.

Members of the Officers' Reserve Corps who have exhausted military leave, may take annual leave to cover military duty in excess of 15 days if the compensation from both sources does not exceed the annual rate of \$2,000 in the aggregate. However, at any time after July 1, 1936, such officer may prior to the exhaustion of his accumulated and current accrued annual leave be granted leave without pay during such period in excess of 15 days. (632)

2556. Officers' Certificate. Application for military leave must be supported by the certificate of a competent officer of the military or naval organization of which the employee is a member.

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 5, 1940.

AMENDMENT TO THE REGULATIONS

Amendment No. 103

The revisions of Regulations 2554 "Naval Reserve and Marine Corps Reserve" and 2555 "Officers' Reserve Corps" which appear on the reverse side of this sheet are promulgated effective immediately.

The title of Regulation 2554 has been changed; references to "Naval Militia" have been omitted; and the definition of "Naval Reserve" has been corrected to agree with the Act of June 25, 1938 (52 Stat. 1175).

The third paragraph of Regulation 2555 has been changed in accordance with the Revised Leave Regulations, issued March 29, 1940.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Under "Military Leave", Regulation 2554, change title to "Naval Reserve and Marine Corps Reserve" from "Naval Militia and the Naval Reserve."

Index

Deletions:

Under "Naval" delete "Militia, military leave for - - 2554"

Changes:

Change "Fleet Naval Reserve" to "Fleet Reserve"

Insertions:

Add "Organized Reserve, military leave for - - - - 2554"

Add "Merchant Marine Reserve, military leave for - - 2554"

Add "Volunteer Reserve, military leave for - - - - 2554"

Under "Leave for military service- - - 2551", add "2552-7"

Under "Military, leave of absence- - - 2551", add "2552-7"

Under "Annual leave of absence - - - 2511, 2512", add
"2554, 2555"

Under "Compensation, additional, when permissible - - 3214",
add "2554, 2555"

Under "Additional compensation, when permissible - - 3214",
and "2554, 2555"

Claude R. Wickard

Acting Secretary.

Military Leave

2557. Special Leave of Absence of Veterans Receiving Medical Treatment. Upon the presentation of an official statement from duly constituted medical authority that medical treatment is required, such annual or sick leave as may be permitted by law and such leave without pay as may be necessary shall be granted by the supervisory officer to a disabled veteran in order that the veteran may receive such treatment, all without penalty in his efficiency rating. The granting of such leave is contingent upon the veteran's giving prior notice of definite days and hours of absence required for medical treatment. The term "duly constituted medical authority" includes any properly licensed medical practitioner as well as officers of Federal Hospitals. The distinguishing feature of the veterans' medical treatment leave is that the grant is obligatory provided the prescribed conditions are met.

ABSENCE WITHOUT PERMISSION

2562. Absence Without Permission. An employee who absents himself from duty without prior permission shall be required to submit an explanation to his immediate superior at the earliest practicable moment, setting forth his reason for the absence and for the failure to obtain permission for such absence. If the explanation is not satisfactory the bureau shall recommend to the Director of Personnel that the employee be *suspended* without pay for the period of absence and such other disciplinary action as may be deemed warranted. (82)

TRANSFER OF PERSONNEL

2711. Authorization for Transfers. Transfers involving a change in civil service status can be made only upon authority of the Civil Service Commission. Transfers of employees from the nonapportioned to the apportioned service require the prior approval of the Civil Service Commission even if there is no change in civil service status. A transfer from one bureau to another bureau within the Department requires the concurrence of the chief of the bureau from which transfer is being made.

2712. Details of Employees. It is the intent of the governing laws and the policy of the Department that details shall be made only for relatively short periods in order to relieve situations where a shortage of personnel or an exceptional volume of work is delaying the public business, where a particular unit or agency has a temporary need for the services of personnel especially qualified to do a particular job, or under other circumstances where it is administratively determined to be in the interest of the government so to do. Such details may be made, as prescribed by the Director of Personnel, as accommodations or on a reimbursable basis, pursuant to Section 601 of the Economy Act, approved June 30, 1932, and other pertinent laws.

Details of employees of the Department to other American republics, the Philippines, or Liberia, are authorized to be made by the President by the Act of May 3, 1939.

All details of employees shall be made in accordance with Personnel Circular No. 112 and any revisions or supplements thereto which may be issued by the Director of Personnel.

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 132

September 11, 1941

There appears on the reverse of this page a revision of Department Regulation 2712, the title of which has been changed to "Details of Employees," which is promulgated effective immediately.

The revised Regulation provides for details of employees in accordance with rules and procedures prescribed in Personnel Circular No. 112 and any revisions or supplements thereto which may be issued by the Director of Personnel.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Change 2712 to "Details of Employees"

Index

Deletions:

Detail, of personnel	-----	2712
Personnel, details	-----	2712

Additions:

Details of employees	-----	2712
Employees, details of	-----	2712


Acting Secretary

AMENDMENT TO THE REGULATIONS

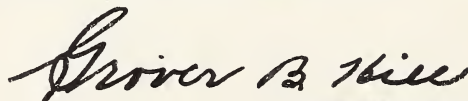
Amendment No. 133

September 5, 1941

On the reverse side of this page appears a revision of Regulation 2711, entitled "Authorization for Transfers," which is promulgated effective immediately.

Provisions in the present Regulation which are now obsolete have been omitted in the revised Regulation.

No changes in the Table of Contents or in the Index will be necessary.


Acting Secretary

SEPARATIONS

2811. Removal or Reduction.- No person in the classified civil service in the Department shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the Secretary; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the office of the Secretary as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of same.

An employee serving under probationary appointment may, after full and fair trial, be separated from the service at any time during or at the expiration of the probationary period without further formality than written notification setting forth the reasons in full, if the conduct or capacity of the employee be not satisfactory. A full statement of reasons for the separation of a probationer shall be given in the bureau's recommendation, which must be approved in advance by the Secretary before the effective date and also during the period of probation.

2812. Reduction in Force.- Removals or reductions due to lack of work, insufficient funds or otherwise should be made in the following order: (1) temporary employees; (2) employees who fail to attain a classified status under Section 6 of Civil Service Rule II and are retained in the service in status quo; (3) probational employees and (4) permanent employees. Seasonal, indefinite and emergency employees are considered only in connection with other employees in the same classification.

In making dismissals in the departmental service, separation registers must first be established based on the employees' efficiency ratings, veteran's preference, length of service (civil and military) and official conduct. An employee entitled to veteran's preference, in order to receive preferential consideration, must have an efficiency rating of Good or better; otherwise he will compete with employees not entitled to preference.

No employee entitled to veteran's preference shall be dismissed or reduced in rank or salary prior to an employee without this preference who is in competition with him if his separation rating is equal to that of the employee not entitled to preference.

If the position held by an employee entitled to veteran's preference is abolished and there is no like position to which he can be transferred, a government establishment is not required to remove an employee not entitled to preference merely for the purpose of retaining the veteran.

Dismissals shall be made in order, beginning with the employee having the lowest separation rating in each class to be reduced, except that an employee with a higher rating may be demoted or separated in preference to another with a lower rating

DEPARTMENT OF AGRICULTURE
WASHINGTON

July 28, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 64.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, designated "2812 - Reduction in Force," which is promulgated effective immediately. The purpose of this regulation is to provide a procedure to be followed in selecting employees to be separated from the service when reduction in force, occasioned by lack of work, insufficient funds or otherwise, are contemplated.

Inasmuch as the title is included in the Index and Table of Contents no change in same is necessary.

Harry L. Brown
Acting Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Separations

2812 (cont.) if the duties of the position to be retained cannot be acceptably performed by the employee with the higher rating after a reasonable preliminary training period.

No classified competitive employee shall be demoted or separated on account of reduction in force until prior approval for such action is received by the Department from the Civil Service Commission.

Except as noted in the preceding paragraph this procedure is equally applicable to non-civil service employees, as well as civil service employees.

Wherever possible in the field service, it would be advisable to have separation registers based on veteran's preference, efficiency ratings, if any, length of service (civil and military) and official conduct. Separation registers for the field service should be prepared according to operating units.

The veteran's preference provisions of the law must be adhered to in the field service regardless of whether or not efficiency ratings are maintained. (39)

2813. Abandonment of Position. * (Canceled. See Personnel Circular No. 113 as revised.) *

Revised 10-16-46 (Amendment 229)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Investigations

2911. Periodical Investigation of Field Offices and Stations.

The Division of Investigations, Office of Personnel, is authorized to make periodical investigations of field offices and stations of the Department. All employees will cooperate with the investigators to the extent of giving such information as may be requested, of permitting free access to books, records, and other documents, and of refraining from making any attempt to interfere with an investigation.

2912. Misconduct, Neglect of Duty, or Irregularities.

1. * Each bureau chief shall issue such instructions as will insure that cases of alleged misconduct, neglect of duty, or irregularities on the part of employees will be reported to him and either (1) promptly and adequately investigated by the bureau or (2) submitted without delay to the Director of Personnel, accompanied by all correspondence and documents pertaining thereto, with a request that an investigation be conducted by the Division of Investigations, Office of Personnel. However, cases of alleged or suspected improper political activity in possible violation of the provisions of Civil Service Rule I, Section I, or the Hatch Political Activities Act shall, before any investigation is undertaken, be referred to the Director of Personnel, who will determine by what agency the investigation is to be made. *

2. * Employees assigned to make investigations shall be sufficiently removed from the specific program, activity, organization, or individual under investigation to assure independence and objectivity in obtaining the facts upon which administrative conclusions will be based. *

3. * Chiefs of bureaus are responsible, in the event that instances of misconduct, neglect of duty, or irregularities on the part of employees occur, for seeing that corrective measures are taken promptly with respect to any supervisory, organizational, auditing, accounting, or other administrative factors which may have contributed to the occurrence. *

2913. * Reports of Investigations. The following procedure shall be observed upon completion of an investigation: *

1. * Investigations Conducted by Bureaus.

a. In every case where investigation by a bureau results in establishing that misconduct, neglect of duty, or irregularities on the part of an employee have occurred, appropriate disciplinary action shall be taken immediately by the bureau if the case is one which can properly be disposed of under delegated authority; if not, a copy of the investigative report shall be forwarded promptly to the Director of Personnel with a recommendation for whatever disciplinary action is believed to be warranted by the facts.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Investigations

2913 (cont.)

b. In all cases involving fiscal irregularities, a copy of the investigative report shall be submitted promptly to the Director of Personnel with a recommendation as to disciplinary action. In such cases, the bureau, within 30 days following completion of the investigation, shall also (1) submit to the Solicitor four copies of the report, with a recommendation as to whether criminal action should be taken, and (2) submit to the Director of Finance one copy of the report, accompanied by a statement in triplicate containing specific information as to the fiscal liability to the United States of each individual or concern involved in the report. The statement shall show what action the bureau has taken or intends to take to effect recoveries and prevent the occurrence of irregularities in the future. Space shall be left on the last page of the statement for the approval of the Director of Finance.

c. If the report indicates that a Federal statute may have been violated but fiscal irregularities are not involved, three copies of the report (in addition to the copy sent to the Director of Personnel) shall be forwarded directly to the Solicitor, together with the recommendation of the bureau as to criminal prosecution. Copies of such reports need not be sent to the Director of Finance. *

2. * Investigations Conducted by the Division of Investigations, Office of Personnel.

a. If the investigation was conducted by the Division of Investigations of the Office of Personnel, a copy of the investigative report shall be forwarded to the chief of the bureau concerned for consideration. Appropriate disciplinary action shall be taken promptly by the bureau if the case is one which can be disposed of under delegated authority; if not, the bureau shall, promptly upon receipt of the report, submit to the Director of Personnel a recommendation for whatever disciplinary action is believed to be warranted by the facts.

b. If fiscal irregularities are involved, the Director of Personnel shall in addition forward one copy of the report to the Director of Finance and four copies to the Solicitor. The bureau shall, within 30 days, (1) submit to the Solicitor a recommendation as to whether criminal action should be taken and (2) submit to the Director of Finance a statement in triplicate containing specific information as to the fiscal liability to the United States of each individual or concern involved in the report and the action which the bureau has taken or intends to take to effect recoveries and prevent the occurrence of irregularities in the future. Space shall be left on the last page of the statement for the approval of the Director of Finance.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Investigations

2913. (cont. 2)

c. If the report indicates that a Federal statute may have been violated but fiscal irregularities are not involved, the Office of Personnel shall, in addition to the copy sent to the chief of the bureau, forward three copies of the report to the Solicitor. Copies of such reports need not be sent to the Director of Finance. The bureau shall submit to the Solicitor within 30 days any recommendation that it may wish to make as to criminal prosecution. *

2914. * Responsibilities of Director of Finance and Solicitor. *

1. * In cases involving fiscal irregularities, the Director of Finance, on the basis of the report and the statement of the bureau referred to in Regulation 2913 and after consultation with the bureau where necessary, shall (1) review the measures adopted to prevent similar irregularities in the future, (2) make a determination as to the fiscal liability of each individual or concern involved, such determination, if found by the Solicitor to be legally sufficient, to be considered as the conclusion of the Department, and (3) determine the propriety of reporting the case to the General Accounting Office in accordance with General Accounting Office General Regulations No. 50, as supplemented. *

2. * The determination of the Director of Finance and the original and one copy of the statement of the bureau referred to in Regulation 2913 shall be transmitted to the Solicitor, whose duty it shall be to: (1) undertake, subject to section 236, Revised Statutes, as amended by section 305 of the Act of June 10, 1921 (42 Stat. 24), collection of any sums due the Government; (2) refer to the Attorney General, or otherwise dispose of under applicable instructions of the Attorney General, any apparent violation of a criminal statute; and (3) after legal review and when determined by the Director of Finance that such action is appropriate, initiate a letter reporting the case to the General Accounting Office. Such letters to the General Accounting Office shall be prepared for the signature of the Director of Finance and shall be initialed in the bureau and the Office of Personnel. *

2915. * Restrictions on Distribution and Use of Reports. It is the policy of the Department that all investigative reports shall be considered as confidential and privileged documents intended for internal use only and that the identity of informants mentioned therein must be protected. The following restrictions on the distribution and use of investigative reports are therefore prescribed: *

1. * Except as provided in Regulation 2914, no investigative report or its supporting documents and no copy of such report or documents or of any part thereof shall be given to any person, committee, or agency outside the Department except with the written approval of the Secretary. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Accounts

3112. (cont. 1)

The General Accounting Office except when otherwise specifically provided by law has jurisdiction and authority, subject to appeal to the Congress, to determine the availability of appropriations for the support of the activities of the Government and to interpret laws relating to the execution thereof. (1640, 1647)

3113. Examination and Certification of Accounts. A careful examination shall be made in each bureau of all vouchers, pay rolls, and accounts prior to their certification for payment, which examination shall be assigned to auditors familiar with the laws and regulations, and the decisions of the Comptroller General, governing the obligation and disbursement of Government funds, and the collection of fees, disallowances, and other items due the United States.

Chiefs of bureaus are responsible for the establishment of adequate procedures to safeguard against illegal or erroneous certifications and payments, and for the execution of such measures as may be necessary to effect recovery of amounts illegally or erroneously paid. Chiefs of

(continued on next page)

Revised 3-4-42 (Amendment 141)

Accounts

3113 (cont.) bureaus are also responsible for the selection of competent approving officers, and for the nomination of certifying officers whom the Secretary of Agriculture may designate in writing to the Treasury Department, such certifying officers to be chosen with due regard to the responsibilities placed upon them by law. (Public Law 389, 77th Congress, 1st Session, fixing responsibilities of certifying officers.)

A certifying officer "shall . . . be held accountable for and required to make good to the United States the amount of any illegal, improper or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: Provided, That the Comptroller General may, in his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds

(1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or
 (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and that the United States has received value for such payment: Provided, further, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by title III, part II, section 322, of the Transportation Act of 1940, approved September 18, 1940, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land-grant deductions. . . . and they shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification." (Public Law 389, 77th Congress, 1st Session, fixing responsibilities of certifying officers.)

In view of the foregoing, no administrative action should be taken to interfere with the right of the certifying officer to obtain a decision from the Comptroller General on a question of law involved in a voucher presented to him for certification.

* Public Law 389, 77th Congress, as amended, while fixing the responsibilities of certifying officers, does not preclude administrative action in behalf of certifying officers against those upon whom certifying officers must depend for the accuracy of payments. Upon the discovery of an erroneous payment, the certifying officer, after every practicable effort has been made to recover, will advise the chief of bureau, or his designee, of such condition. The chief of bureau, or his designee, shall examine the facts presented and, if possible, fix the responsibility for the erroneous payment and take necessary measures to recover the amount from the responsible employee or employees. If, under the conditions surrounding the transaction, it is determined that responsibility for the erroneous payment should not be placed on any employee or employees, including the certifying officer, then measures should be taken to seek relief for the certifying officer under existing law if such action appears to be warranted. *

Accounts

3113 (cont. 2) Under no circumstances shall the administrative examination of disbursing officers' accounts current, as required by the provisions of the Act of July 31, 1894, as amended, be made by the officials certifying and approving vouchers and payrolls for payment.

There shall be furnished to the Office of Budget and Finance such information in the form of accounts current, disbursement and collection documents supporting such accounts current, and financial statements, as may be required for the maintenance of the central appropriation accounts in that Office, and for the administrative examination of disbursing officers' accounts current. (1648, 1649, 1650, 1889)

3114. Adjustment of Differences. Employees making administrative examination of accounts of employees who are both debtor and creditor of the United States in any form, are required by law to set off the one indebtedness against the other and to allow and certify for payment only the balance found due on one side or the other. (1531, 1642, 1646, 1652) (See also Regulation 3213.)

3115. Accounting Procedure. The Comptroller General has authority to prescribe the forms, systems, and procedure for administrative appropriation and fund accounting and for the administrative examination of fiscal officers' accounts and claims against the United States. No changes may be made in the accounting system of any bureau until such changes are submitted to and approved by the Director of Finance and the Comptroller General. (1643)

Accounts

3116. Irregularities in Accounts. Under the provisions of section 236 of the Revised Statutes, as amended, any irregularity, falsification, or discrepancy involving accountability to, or a claim on behalf of, the United States must be reported promptly and fully to the General Accounting Office. Any employee who has reason to believe that any such irregularity, falsification, discrepancy, or claim exists will report it either directly, or through the chief of bureau to the Secretary for appropriate action. (1644) (See Regulation 2912)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Accounts

5117. * Numbering and Filing of Contracts. *

1. * All contracts requiring the advance of money, or in any manner connected with the settlement of public accounts, unless otherwise provided by law, shall be deposited in the General Accounting Office. *

2. * The following types of contracts requiring amounts to be paid out or to be received by the United States shall be numbered in accordance with the uniform system prescribed by the Comptroller General and forwarded to the General Accounting Office, as directed by the Chief of Bureau, within thirty days from date of execution:

- (a) Formal contracts, regardless of amount;
- (b) Less formal contracts or agreements, the estimated value of which is \$2,000 or more;
- (c) Less formal contracts or agreements, involving more than one payment or collection, regardless of amount. *

3. * Less formal contracts or agreements involving a single payment or collection, the estimated value of which is less than \$2,000, may be forwarded to the General Accounting Office in the following manner, without being numbered in accordance with the uniform system:

- (a) If the contract requires a payment by the United States, the contract may be attached to the voucher on which payment is made and accompany such voucher to the General Accounting Office.
- (b) If the contract requires a collection by the United States, the contract may be attached to the copy of the applicable schedule of collections (Standard Form 1044) which is forwarded directly to the General Accounting Office. *

4. * All contracts or agreements involving the expenditure or receipt of public funds, (except public utility contracts) which are required to be forwarded to the General Accounting Office, shall be supported by a properly executed Statement and Certificate of Award (Standard Form 1036). (See also Regulation 5515). * (1888)

5118. Classification of Departmental Expenditures. The classification of expenditures prescribed by the Comptroller General of the United States in General Accounting Office Bulletin No. 1, dated May 11, 1922, as amended, will be maintained exclusively by ledger record in the bureaus and offices of the Department. This classification should be so kept as to permit prompt response to such calls as may be made for special statements and summaries and the proper preparation of the annual estimates of appropriations.

REPORT OF THE COMMITTEE ON THE MEDICAL PROFESSION

The Committee on the Medical Profession, created by the American Medical Association in 1915, has the honor to submit herewith its report.

The Committee has been privileged to receive the cooperation and assistance of many of our colleagues in the medical profession, and to hold numerous conferences with them on the subject of the medical profession and its relation to the public.

The Committee has also received the assistance of the following:

Dr. J. H. T. Moore, Secretary of the American Medical Association

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ALLOWANCES

3121. Subsistence and Quarters Allowances, Field Service.— Civilian employees in the field service may be furnished quarters, heat, light, household equipment, subsistence, and laundry service where conditions of employment require it, but the reasonable value of such allowances shall be determined and considered as part of the compensation in fixing the salary rate of such civilians.

The total salary rate fixed for all employees entitled by law or regulation to allowance in kind, unless otherwise provided by law, must include the amount of cash to be paid and the full amount of the determined value of the allowances furnished in kind, the cash only to be charged to the salary appropriation, and any item of cost connected with the property to be charged to appropriations specifically provided for that purpose, no adjustments between the appropriations being authorized or required.

The reasonable value of allowances furnished in kind to field employees is not necessarily to be limited to the cost of the allowances to the Government but the basis is the reasonable value to the employee during the particular period and in the particular locality where employed. While the position and salary of an employee are to be considered in determining the reasonable value to him of the item furnished the values for items will not be based solely on the salary of the position held.

Each bureau will establish a schedule of rates for particular quarters and other allowances, indicating a specific amount for each allowance where, because of absence of individual meters, flat rates must be used, copies of which will be filed in the office of the

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Allowances

3121. (cont.) Director of Finance and the General Accounting Office.

Notice of deviations or exceptions from the schedule of rates fixed by the bureau for value of allowances furnished in kind to field employees must be furnished the General Accounting Office in writing either with the payrolls on which deductions are made at rates other than provided by the general schedule or directly to that office prior to the settlement of accounts involved.

During periods of leave without pay the established value, as previously determined, of any quarters and equipment furnished a field employee during such period will be deducted from the amount otherwise due him or which may become due. Where the quarters are entirely vacated by the employee for periods of fifteen days or more while on leave and are available for other assignment no charge should be made for their value, but if such quarters are reserved for the employee during his absence the charge should be made as if the quarters were actually occupied by him. (74)

3122. Subsistence, Personal Equipment, and Supplies for Employees in Alaska. Employees stationed in Alaska may be furnished subsistence and personal equipment and supplies may be purchased for them, but deductions must be made from their salary payments to meet the cost thereof. (162a)

3123. Allowances to Employees Stationed in Foreign Countries.

1. Employees of the Department, who are citizens of the United States having permanent station in a foreign country may be furnished, without cost to them, living quarters, including heat, fuel, and light in Government-owned or rented buildings, or, where such quarters are not available, may be granted an allowance for living quarters, including heat, fuel, and light. * In addition such employees may be granted a cost of living allowance. *
2. * Employees of the Department who are temporarily stationed in a foreign country and who are not nationals of the country in which the foreign duty station is located may be provided with a living and quarters allowance or may be provided with living quarters and an adjusted living and quarters allowance. *
3. * It shall be the Department's policy to grant allowances in order to enable employees to maintain an American standard of living while on foreign duty by compensating them for higher costs occasioned by their being stationed at a foreign post. This policy shall be so administered as to provide equitable treatment for employees of the various bureaus of the Department. *
4. * Schedules of proposed allowances shall be submitted on Form AD-165 through the Office of Foreign Agricultural Relations, Office of Personnel, and Office of Budget and Finance, to the Secretary or the War Food Administrator for approval. (113; Budget Bureau Circular A-3; Independent Offices Appropriation Act) *

3124. Allowances to Employees of Forest Service. * (This regulation has been canceled, since it applied to only one bureau and the necessary authorization has been granted in other form.) *

APPROPRIATIONS

3131. Fiscal Year Determination.- It is essential in the disbursement of accountable funds that the fiscal year be correctly determined. While it is not requisite that the delivery of goods or the rendering of services shall be completed within the fiscal year in which they were contracted for, vouchers paid from an appropriation of the preceding year shall carry evidence that the contracts were executed within that year or that the order was given within that year to meet a need then existing. This applies also to the procurement of material or services from another Government department or agency. Orders so placed, in writing, are obligations in the same manner as contracts placed with private contractors, and constitute encumbrances upon the appropriations for the fiscal year in which the order is placed, except as stated in the next paragraph.

A claim against an annual appropriation, when otherwise proper, is chargeable to the appropriation of the fiscal year for which the liability was incurred.

After the appropriation for the ensuing fiscal year is made, contracts may be executed and orders placed for supplies, materials, etc. for that year, and if needed at the beginning of the new fiscal year, or shortly thereafter, delivery may be accepted in the current fiscal year. Payment can not be made for such articles, however, until the beginning of the fiscal year to which the appropriation pertains.

3132. Availability of Appropriations.- Balances of appropriations made specifically for the service of any fiscal year and remaining unexpended at the expiration of such fiscal year shall be applied only to the payment of expenses or to the fulfillment of contracts properly chargeable to that year. Balances of appropriations remaining unexpended for two fiscal years

THE UNITED STATES OF AMERICA
FROM 1789 TO 1861
BY JAMES M. SMITH
VOLUME I
CHAPTER I
THE FOUNDING OF THE NATION
The American Revolution was a struggle for independence from British rule. It began in 1775 and ended in 1783. The war was fought between the thirteen original colonies and the British Empire. The colonies won their independence and became the United States of America. The Constitution was written in 1787 and ratified in 1788. It established the framework of the federal government. The first President was George Washington. He served from 1789 to 1797. The first Congress met in 1789. It was composed of representatives from the thirteen states. The first Supreme Court was established in 1789. It was composed of six Justices. The first Amendment to the Constitution was adopted in 1791. It guaranteed the rights of the individual. The first Bill of Rights was adopted in 1791. It guaranteed the rights of the individual. The first Amendment to the Constitution was adopted in 1791. It guaranteed the rights of the individual. The first Bill of Rights was adopted in 1791. It guaranteed the rights of the individual.

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Appropriations

after the close of the fiscal year for which appropriated, are required to be carried to the surplus fund and covered into the Treasury. Thereafter, claims presented for payment from the appropriation are for certification to the Comptroller General for examination and inclusion in a general deficiency bill. (1746)

3133. Creation of Deficit Prohibited.- Section 3679 of the Revised Statutes reads in part as follows: "No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than \$100 or by imprisonment for not less than one month." It is incumbent upon each chief of bureau to guard against the incurrence of deficiencies in appropriations.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 19, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 11.

There appears on the reverse side of this page an addition to the Regulations of the Department, paragraph 3133, entitled "Creation of Deficit Prohibited."

This addition is made for the purpose of impressing upon all responsible officers of the Department the seriousness of incurring a deficit.

This amendment is promulgated, effective immediately.

This page should be inserted in the Regulations and the following additions made to the Table of Contents and the Index:

To the Table of Contents:

"3133. Creation of Deficit Prohibited."

To the Index:

"Appropriations, creation of deficit in - 3133
Deficit, creation of, prohibited - - - - 3133
Expenditures, creation of deficit - - - 3133
Funds, creation of deficit - - - - - 3133"

H. A. Wallace

Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Bonds

3142. Bonding of Employees, Contractors, Etc.

1. General Provisions

a. Except as otherwise provided herein, chiefs of bureaus are charged with the responsibility of carrying out the provisions of this Regulation, and shall approve bonds executed in accordance herewith. Chiefs of bureaus may delegate to supervisory officials who report directly to them the duties imposed by this Regulation, but such delegation will not relieve chiefs of bureaus of administrative responsibility for the enforcement of the provisions of this Regulation. (299)

b. Except as otherwise provided herein, the form and legal sufficiency of all bonds covered by this Regulation shall be approved by the Solicitor, or others to whom he may delegate this function.

c. The principal (person bonded) is responsible for the payment of bond premiums, unless otherwise provided by law. *** Official bonds *** must be renewed every four years. *** When a bond is no longer required and it is necessary to notify the surety (or sureties) of this fact in order to protect the principal from the necessity of continuing to pay premiums, the surety (or sureties) shall be notified of the date after which the United States will no longer look to the surety for protection for future acts of failure of performance of the principal. Such notice shall also be given upon the request of the surety. The notice shall be given through the Chief Disbursing Officer for all bonds provided for the protection of that officer. The term "approved corporate surety bond" as used herein means a bond issued by a surety corporation whose name appears on the approved list of bonding companies, which list is issued by the Treasury Department (Section of Surety Bonds). (300, 304)

d. Except as otherwise provided herein, all bonds shall be transmitted to the Treasury Department (Section of Surety Bonds), for filing and safekeeping, or for forwarding to the General Accounting Office.

e. The Director of Finance is authorized to issue instructions supplementing this Regulation. The necessity for the bond, the adequacy of the protection of the interest of the Government, and the practices used by the bureaus for determining the amount of a bond shall be periodically ascertained by the Director of Finance.

2. Bonding of Employees of the Department

a. Employees Receiving, Handling, or Having Custody of Public Funds. Every employee whose prescribed duties require him to receive, handle, or have custody of public funds or remittances, except checks and other instruments drawn payable to the Treasurer of the United States or endorsed payable to the Treasurer of the United States prior to receipt by the employee, shall furnish an approved corporate surety bond in an amount determined to be sufficient to protect the United States against loss, provided, however, that chiefs of bureaus may by formal action specifically exempt any employee who handles less than \$200 a year. Nothing in this paragraph shall be construed to limit the authority of a chief of bureau to require bonds as provided in Section 2 f. of this regulation.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Bonds

3142 (cont.) The following factors should be considered in determining the amount of the bond to be furnished by each such employee: (1) the amount of funds or remittances to be protected by the bond, (2) the largest amount of such funds or remittances in hand at any one time, (3) the provisions that have been made to assure the prompt transmission or deposit of public funds required by Regulation 3175, (4) the frequency and detail with which the transactions and accounts of the employee are audited, and (5) any other safeguards of public funds.

b. Employees Requesting Advances of Funds. Except as provided below, a bond, or bonds, in multiples of \$1,000 shall be furnished in amounts sufficient to cover all advances which an employee may have at any one time. Such bonds shall be approved by a bureau official designated by the Secretary to approve applications for advances of funds. Bonds are required as follows:

(1) For advances solely under the Subsistence Expense Act of 1926 either Standard Form No. 19 Revised, surety bond, or Treasury Form No. 19a, collateral security bond, shall be used. If Treasury Form No. 19a is used, the bond shall be in a sum not less than the travel advance applied for plus twenty-five per cent. Bond forms No. 19 Revised and No. 19a should not be submitted to the Solicitor for examination and approval.

(2) For advances solely under the Act of June 3, 1902, Bond Form AD-101 shall be used. This form of bond when executed shall be submitted to the Solicitor.

(3) For advances under both (a) the Subsistence Expense Act of 1926 and (b) the Act of June 3, 1902, Bond Form AD-100 shall be used. This form of bond, when executed, shall be submitted to the Solicitor. (1708)

c. Disbursing Officers * of Department. * Employees who have been designated by the Secretary as Treasurers, Assistant Treasurers, Disbursing Agents, etc., to disburse funds administered by the Department which are exempt from the provisions of Section 4, Executive Order 6166, shall be required to furnish an approved corporate surety bond in whatever amount the Director of Finance, upon recommendation by the chief of the bureau, shall determine to be sufficient to protect the Secretary and the United States. (1263)

d. Agents of the Chief Disbursing Officer, Treasury Department. Employees who may be designated by the Chief Disbursing Officer as Assistant Disbursing Officers, Agent Cashiers, etc., to act for him in making payments and/or collections shall furnish bond in such amounts and in such form as the Treasury Department may require. Such bonds should not be submitted to the Solicitor for approval. (1263)

e. Property Custodians. Chiefs of bureaus may require a bond in sufficient amount from each employee who has been designated as responsible for the safekeeping of valuable property, such as negotiable instruments, equipment, etc.

f. Other Employees. When it is determined to be in the interest of the Government, chiefs of bureaus may require bond to be given by employees to insure faithful performance of duty or for any other reason.

g. Certifying Officers. All employees designated by the Secretary of Agriculture to the Treasury Department as certifying officers shall furnish a surety bond satisfactory to the Treasury Department in an amount to be fixed by the Secretary upon recommendation of the Chief of the bureau concerned "in accordance with the degree of the officer's responsibility, taking into consideration the character and estimated

Bonds

amount of vouchers to be certified for payment during the ensuing twelve-months' period. Such penal sum should be sufficient to protect the interests of the United States under the circumstances." (Treasury Department Circular 680)

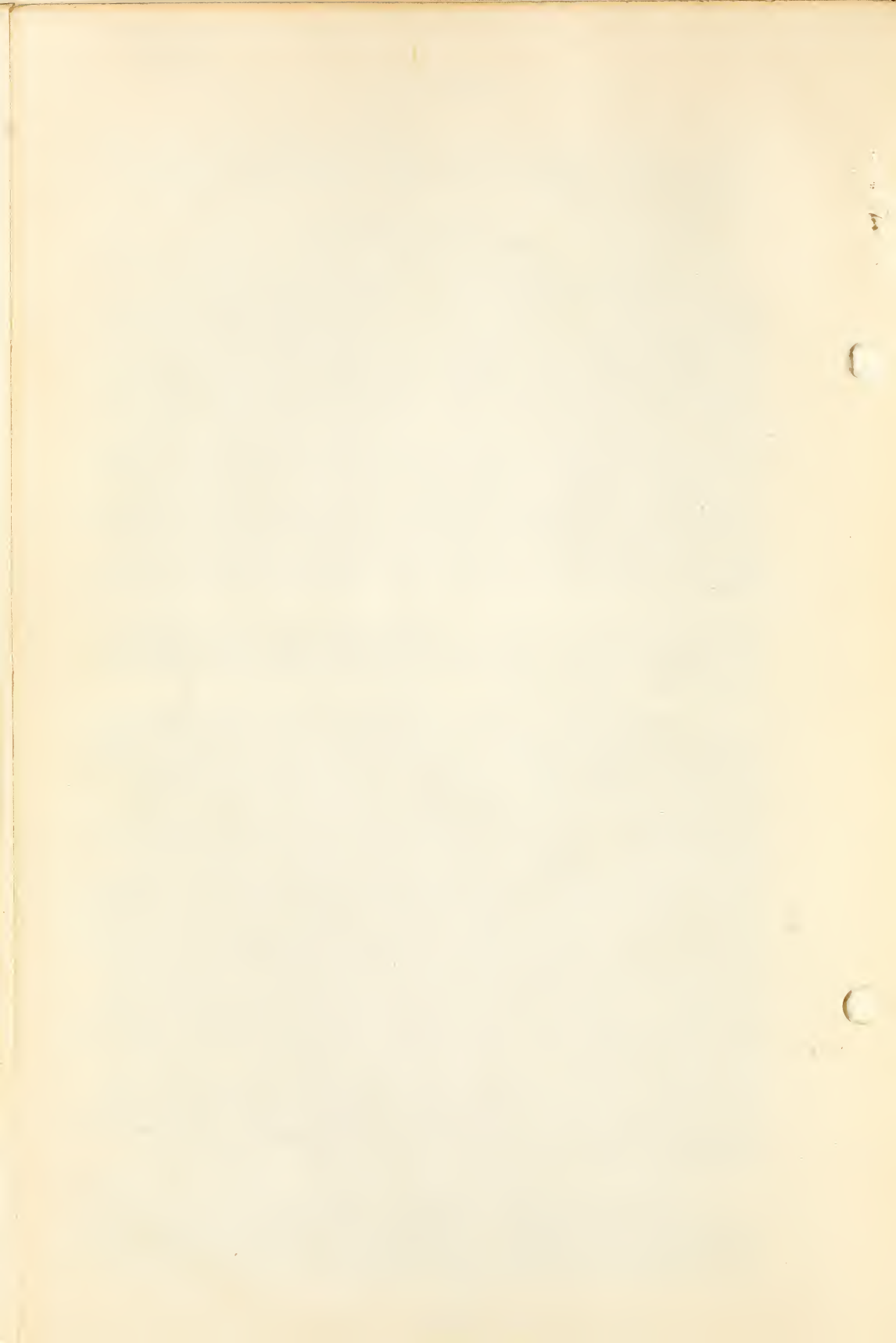
3. Bonding of Non-Employees. (Contractors, Etc.)

a. Performance Bonds. Before any contract for the construction, alteration, or repair of any public building or public work, in an amount in excess of \$2,000, is awarded to any person, such person shall be required to furnish a performance bond, in an amount equal to the amount of the award, with a surety or sureties satisfactory to the Officer making the award, and subject to the approval of the Treasury Department (Section of Surety Bonds) in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. For contracts for construction, alteration, or repair of any public building or public work in amounts of \$2,000 or less, or for contracts for furnishing services, supplies, or equipment, in any amount, it shall be discretionary with the contracting officer of the bureau or agency concerned whether a performance bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Performance bonds shall be approved administratively by the contracting officer concerned. (1835)

Whenever the specifications of a contract require that the contractor shall furnish a patent bond, such bond shall be prepared or approved by the Solicitor and shall be approved in the same manner as herein provided for performance bonds.

b. Payment Bonds. Before any contract for the construction, alteration, or repair of any public building or work, in an amount in excess of \$2,000 is awarded to any person, such person shall be required to furnish a payment bond for the protection of all persons supplying labor and material in the prosecution of the work provided for in the contract. Whenever the total amount payable by the terms of the contract is not more than \$1,000,000 the payment bond shall be in the sum of one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than \$1,000,000 and not more than \$5,000,000, the payment bond shall be in an amount equal to 40 percent of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than \$5,000,000, the payment bond shall be in a sum of \$2,500,000. The surety (or sureties) on these bonds must be satisfactory to the officer making the award and is subject to the approval of the Section of Surety Bonds, Treasury Department, in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. When a contract for the construction, alteration, or repair of any public building or public work is for \$2,000 or less, it shall be discretionary with the contracting officer whether a payment bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Payment bonds shall be approved administratively by the contracting officer concerned. (1835)

c. Other Non-Employees. Chiefs of bureaus shall require concessionaires, bidders, Market Administrators, warehousemen, and others, to furnish bonds when necessary to protect the interests of the Government. Bid bonds will be retained by the contracting officers concerned (434, 435)



REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Checks

3151. Discounting. No discount charge is a proper expense of the Government and must be borne by the person cashing the check.

3152. * Substitute Checks. Substitute checks may be obtained from the Secretary of the Treasury to replace lost, stolen, destroyed, mutilated, or defaced Government checks. The procedure for obtaining substitute checks is outlined in Regulation 3155. *

3153. Forgery. Whenever a payee of a check claims that the endorsement thereon is a forgery, the correspondence will be referred to the disbursing officer issuing the check for forwarding to the Treasurer of the United States.

3154. Endorsements. Endorsement must be precisely the same as shown on the face of the check.

Checks drawn payable on the endorsement of the legal representative of the person or corporation entitled, such as the appointed receiver, trustee in bankruptcy or liquidation, or administrator of the estate, should be delivered to such representative if he has been duly qualified, no prior necessity existing for specifically authorizing negotiation by such representative beyond the authority shown by his appointment and qualification. The first check negotiated by such representative should be accompanied by a short certificate of the order or decree of the court showing the appointment and qualification of the representative. No such requirement is made, however, in cases where checks are drawn on evidence submitted with a claim to the General Accounting Office, such as payments to deceased or incompetent persons.

Endorsements by mark (X) must be witnessed by two persons, signing their names as witnesses and giving their post-office addresses.

3155. * Lost, Stolen, Destroyed, Mutilated, or Defaced Checks.

1. Nonreceipt, loss, theft, or destruction of a check drawn on the Treasurer of the United States, or sufficient mutilation or defacement to render such a check non-negotiable, should be promptly reported to the disbursing officer by whom drawn by a letter signed by the owner, or by telegraph, confirmed by such a letter. The report should describe the check, stating the purpose for which drawn, and giving, if possible, its date, number, and amount, and requesting that payment be stopped. In reporting a mutilated or defaced check, the check should be enclosed with the report. In reporting a lost check, the report should state whether the check was not received, or was lost after receipt. If lost after receipt, the circumstances should be given, stating whether it had been endorsed *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Checks

3155 (cont.) * by the payee. Nonreceipt of the check should not be reported until inquiry of the local postal authorities has failed to develop information. Bureaus are responsible for furnishing information to owners of lost, stolen, destroyed, mutilated, or defaced checks, and when requested to do so, for assisting in the preparation of reports. If the disbursing officer has no record of the return of an undelivered check he will transmit the owner's report and request for stoppage of payment to the Treasurer of the United States or the Federal Reserve Bank through which the check is payable. Where such a check is determined to be outstanding, the Treasurer's Office will furnish the claimant an appropriate form to be executed and sent to the disbursing officer for obtaining a substitute check.

2. If the original check is received or recovered after the owner has requested stoppage of payment, but before receiving a substitute check, he should immediately advise the disbursing officer to disregard the stoppage request. He should not, however, attempt to cash the original check until so authorized by the disbursing officer. If the original check is received or recovered after a substitute check has been received, the substitute check should be cashed and the original check forwarded to the Division of Disbursement, Treasury Department, Washington 25, D. C., for appropriate disposition. (59 Stat. 592) *

3156. Negotiability. Checks will be honored by the Treasurer of the United States if presented before the close of the fiscal year next following the fiscal year in which such checks were issued (Sec. 21, 48 Stat. 1235). Checks outstanding a longer time must be forwarded to the General Accounting Office with request that Treasury warrant be issued to the owner's order. (1758)

Checks

3157. Travelers' Checks.- The purchase of travelers' checks for the safekeeping of privately owned or public funds in the possession of a bonded special disbursing agent or other employees while traveling, is not an authorized expense and the charge for issuance of such checks is not payable from public funds.

3158. Unclaimed and Undelivered Checks.- Unclaimed or undelivered checks should be returned to the issuing disbursing officer for forwarding to the General Accounting Office. A statement should accompany the checks giving the name and symbol number of the disbursing agent, and listing each check by number, date, amount, payee, payee's last known address, voucher reference, and purpose for which issued.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Claims

3161. Refunding Moneys Erroneously Received and Covered. * Claims for refunds of moneys paid to the Department in anticipation of consideration which cannot be furnished, or in excess of amounts due, which were erroneously deposited and covered into the general fund of the Treasury as miscellaneous receipts, where authority for refund exists, shall be submitted to the General Accounting Office for settlement accompanied by all material papers and a Form AD-42 properly executed and signed by a bureau official occupying or acting in a position which has been designated for this purpose by the Secretary. Such claims are payable from the account "Refund of Moneys Erroneously Received and Covered." (31 U. S. C. 725q) *

3162. Claims for Private Property Lost or Damaged Through Negligence of Employees. Claims submitted under the act of December 28, 1922, (42 Stat. 1066) for private property lost or damaged through employee's negligence will be transmitted to the director of finance with bureau report and recommendation. If initially received in the Secretary's office they will be referred to the bureau for such report and recommendation. The report should (a) show affirmatively whether the employee was acting within the scope of his duty when the loss or damage was caused, (b) give name of officer viewing damage, and (c) state whether the amount claimed is considered just (claim is frequently an actual repair bill instead of an estimate). With respect to presentation, claims will be divided into two classes:

1. Motor transportation claims. The procedure is governed by budget circular No. 206. The three forms prescribed therein, No. 26, driver's report -- accident, motor transportation; No. 27, investigating officer's report -- accident, motor transportation; No. 28, claim for damages, accident, motor transportation, must be used in preparing reports on and submitting claims arising from motor transportation accidents. Instructions as to the use of these forms, contained in budget circular No. 206, are as follows:

Par. 7. All drivers of Government motor vehicles and investigators of motor transportation accidents should be furnished with Forms 26 and 27, respectively, and directed to observe the instructions thereon.

Par. 8. Standard Form No. 28 should not be furnished unless and until a claim for damages has been made. Forms 26 and 27 should be accompanied by such additional statements by the driver and investigating officer as are essential to a clear understanding of the accident and related circumstances.

2. Other than motor transportation claims. These claims should be presented on Department Form No. AD-24. Written statements by persons having definite knowledge of the accident (regardless of whether they actually saw it happen) or of the resulting damage should be obtained in all cases. When there are several witnesses, statements should be obtained from at least three of them.

In each case involving an accident or damage, or both, to property coming within or 2 (regardless of whether a claim is submitted), an investigation will be made for the purpose of determining whether the accident or damage, or both, resulted from misconduct or neglect on the part of the responsible employee. If it is determined that the accident or damage, or both, resulted from the misconduct or negligence of the responsible employee, the chief of the bureau or office concerned shall submit a report containing all the facts pertaining to the case, together with the recommendation of the bureau or office, to the Secretary. (See also Paragraph 2921.) (1665)



Claims

3163. Claims for Private Property Damaged in Connection with National Forests.- Reimbursement not exceeding \$500 on any one claim may be made to owners of private property for damage or destruction caused by employees, without negligence, in connection with the protection, administration, or improvement of the national forests; payment may be made only from funds appropriated for the protection, administration, and improvement of the national forests.

Such claims with supporting papers shall be submitted to the Secretary with the recommendation of the bureau. After determination by the Secretary claims will be returned to the bureau. Claims approved by the Secretary will be paid through the usual disbursing channels while persons whose claims have been disapproved will be notified by the bureau of the decision. (1057)

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 21, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 39.

There appears on the reverse side of this sheet an amendment to paragraph 3163, "Claims for Private Property Damaged in Connection with National Forests." This paragraph incorrectly stated that these claims should be submitted to the Director of Finance for submission to the General Accounting Office. Inasmuch as the Secretary is authorized to settle such claims this paragraph has been amended.

All copies of the Regulations should be amended accordingly.

Inasmuch as this title has been included in the Table of Contents and the Index no additions to those sections are required.

H. Wallace

Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Claims

3164. Claims for Private Property used by Forest Service. Reimbursement for loss or damage of property obtained by the Forest Service, for the use of that service, from employees or other owners may be made upon approval of the chief of the Forest Service or a regional forester in an amount not exceeding \$50.

Claims in excess of \$50 may be paid only on approval of the Secretary, and, except when the property was obtained for a fire fighting emergency, no reimbursement may exceed \$50 unless the claim is supported by a written contract of hire or lease. Claims approved by the Secretary will be returned to the Forest Service for settlement through regular channels.

Such claims must be accompanied by a statement from a responsible administrative officer describing the loss or damage and the circumstances under which it occurred, certifying that the damage was not caused by the negligence of any Government employee and showing that the property was obtained for and was under the jurisdiction of the Forest Service. (943)

3165. Doubtful Claims Under Existing or Lapsed Appropriations. The Budget and Accounting Act of June 10, 1921 (42 Stat. 24) provides that no claim involving a doubtful question of law or fact shall be paid by any disbursing officer or agent of the United States except pursuant to specific statutory authority or by direction given in accordance with the provisions of such Act, but shall be settled and adjusted in the General Accounting Office. This Act also provides that the General Accounting Office shall receive, examine, and consider the justice and validity of all claims under appropriations, the balances of which have been exhausted or carried to the surplus fund. (See also Regulation 3167.) (31 U. S. C. 71)

* Claims involving doubtful questions of law or fact, whether under an existing appropriation or an appropriation the balance of which has been exhausted or carried to the surplus fund, shall be accompanied by all material papers, an administrative report in detail with recommendations, and a properly executed Form AD-42 and forwarded to the Director of Finance for review, approval of Form AD-42, and submission to the General Accounting Office, except that the following classes of claims may be submitted by the bureaus directly to the General Accounting Office and the accompanying Form AD-42 signed by a bureau official occupying or acting in a position which has been designated for this purpose by the Secretary: (a) claims involving undelivered, lost, or canceled checks, or checks drawn to deceased persons or to wrong persons, or drawn in wrong amounts; (b) claims based on duplicate invoices or vouchers; (c) claims for amounts due deceased or legally incompetent employees and individual contractors or other public creditors who are deceased or legally incompetent; (d) claims of bankrupt creditors; (e) claims involving vouchers which the General Accounting Office has requested for set-off purposes; (f) claims for amounts deposited into the Miscellaneous Receipts account and payable from "Refund of Moneys Erroneously Received and Covered"; (g) claims for indemnity payments for diseased animals destroyed.

Claims not involving questions of law or fact, properly chargeable to appropriations the balances of which have been carried to the surplus fund, which could otherwise be paid by a disbursing officer in the usual manner, may likewise be submitted by the bureaus directly to the General Accounting Office without clearing through the Office of Budget and Finance. *

3166. Meritorious Claims. The Act of April 10, 1928, 45 Stat. 413, provides that when there is filed in the General Accounting Office a claim or demand against the United States that may not lawfully be adjusted by

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Claims

3166. (cont. 1) the use of an appropriation theretofore made, but which claim or demand in the judgment of the Comptroller General of the United States contains such elements of legal liability or equity as to be deserving of the consideration of the Congress, the Comptroller General shall submit the claim or demand to the Congress by a special report containing the material facts and his recommendation thereon. (See also Regulation 3167.) (1667g)

Claims, believed by the bureau concerned to fall within this class, shall be forwarded to the General Accounting Office for consideration by the Comptroller General. Such claims shall be forwarded through regular channels to the Director of Finance and shall be accompanied by all material papers, an administrative report in detail with recommendations, and a properly executed Form AD-42.

3167. Statutory Limitation on Claims. Public No. 820, 76th Congress, approved October 9, 1940, provides that every claim or demand (except a claim or demand by any State, Territory, possession, or the District of Columbia) against the United States cognizable by the General Accounting Office under section 305 of the Budget and Accounting Act of June 10, 1921 (42 Stat. 24), and the Act of April 10, 1928 (45 Stat. 413), shall be forever barred unless such claim, bearing the signature and address of the claimant or of an authorized agent or attorney, shall be received in that office within ten full years after the date such claim first accrued. This Act also provides that when a claim of any person serving in the military or naval forces of the United States accrues in time of war, or when war intervenes within five years after its accrual, such claim may be presented within five years after peace is established.

The Act further provides that whenever any claim barred by such Act shall be received in the General Accounting Office, it shall be returned to the claimant, with a copy of this Act, and such action shall be a complete response without further communication. (See also Regulations 3165 and 3166.)

Officials responsible for the examination and clearance of claims should take such action as may be necessary to avoid disbarment of claims because of undue delay in the Department.

Revised 1-23-41 (Amendment 116)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

FUNDS

3171. Safekeeping of Public Money. Employees charged with the safekeeping of public money shall be held personally liable for such funds. (1702)

3172. Responsibility for Accounting for Public Money.

1. *The term "public moneys" as used in this regulation shall mean all specie, currency, or instruments having monetary value received on behalf of the United States, or by an employee of the United States in his official capacity, as the result of sales; refunds; discounts; deposits made as a pledge, security, etc.; collections; or otherwise.*

2. *Employees handling public moneys of, or on behalf of, the United States must account for the receipt and disposition of all public moneys handled by them. Failure to account for such public moneys is a violation of the criminal code of the United States. (1265; 1275; 1680; 1703) (See also Regulation 3142.)*

3. *The chief of each bureau shall be responsible for seeing that there are maintained such records, procedures, and other internal controls as are necessary to insure the proper and safe custody, administration, and accounting of all public moneys handled by the employees of his bureau. (See Regulation 3115.) In addition, he shall be responsible for providing audit programs to determine the adequacy of the existing records, procedures, and controls.*

4. *The records, procedures, and controls shall include protective mechanisms representing the maximum obtainable within the limits of practical operation. These shall include, wherever practicable, pre-numbered receipts, the regular reporting of collections to appropriate accounting offices for verification, the prompt deposit of all collections in authorized depositories, provisions for obtaining collections in the form of checks or drafts made payable to the Treasurer of the United States, independent verification with debtors of amounts owed the Government and amounts paid, and other similar devices.*

5. *The audit programs maintained shall provide for audits to be made at least annually (but much more frequently in most cases) by employees not immediately responsible for handling the public moneys involved, except that the Director of Finance may approve plans for the performance of audits at less frequent intervals or for use of other effective controls in lieu of audits upon a showing that the interests of the Government will be fully protected.*

6. *The records, procedures, internal controls, and audit programs prescribed and maintained for moneys received on behalf of the Government must provide, consistent with the nature of the activity, (1) a determination of the amounts received, (2) a determination that the proper amounts have been deposited in accordance with existing law and the regulations of the Department, and (3) an accounting by each employee handling public moneys for the receipt and disposition thereof.*

(See also Regulation 4223.)

3173. Private Use of Public Money Prohibited. It is unlawful for any employee handling funds of the United States to convert to his own use, loan with or without interest, or deposit in any bank or

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Funds

3173 (cont.) exchange for other funds, any public money entrusted to him, except as specifically allowed by law. No employee may use official funds for the purpose of cashing checks of any kind, whether public or private. No employee shall carry on any trade or business, not specifically authorized by law, in the funds or property of the United States. (1263, 1264, 1276, 1702)

3174. Withholding Public Money Prohibited. No employee handling public funds may withhold such funds without specific authorization. (1262, 1676)

3175. Deposit of Public Money. Section 3621 of the Revised Statutes provides that "Every person who shall have moneys of the United States in his hands or possession, and disbursing officers having moneys in their possession not required for current expenditure, shall pay the same to the Treasurer, or some public depository of the United States, without delay, and in all cases within thirty days of their receipt." For the better protection of the Government, however, the Department requires that every employee who shall have funds for which the Department is responsible shall transmit the same to the proper

(Continued on next page.)

Funds

fiscal or administrative officer or deposit the same in a Federal Reserve Bank or other authorized Government depository to the credit of the proper disbursing officer, such transmission or deposit to be made within twenty-four hours if practicable but in every case within one week after receipt of such funds. (1266, 1679, 1702)

3176. Proceeds of Sales of Material.-- Proceeds of sales of old material, condemned stores, supplies or other public property shall be deposited in the Treasury as Miscellaneous Receipts, on account of "proceeds of Government property." The expenses of the sale of such material and the cost of postal money orders may be deducted from the gross amounts received, the net proceeds being remitted to the designated officer or depository.

The transfer of public property from one bureau or department to another is not a sale within the meaning of section 3618 of the Revised Statutes, and it is not required that the money received therefor shall be covered into the Treasury as Miscellaneous Receipts. Reimbursement should be made therefor and the moneys so received repaid to the appropriation available for replacement or as otherwise specifically directed or authorized by law. Reimbursements for surplus materials, supplies, and equipment for which replacement is unnecessary will be covered into the Treasury as Miscellaneous Receipts. (1672, 1674, 1675) (See also Paragraphs 4422 and 3183.)

3177. Foreign Currency.-- All claims for reimbursement of expenditures made in foreign currency should show the amount of foreign money expended, the rate of conversion, and be converted and stated in dollars. The rate of conversion should be supported, whenever practicable, by evidence that the rate shown was the rate current on the date of conversion.

All reimbursement vouchers in which there is conversion of foreign currency are for transmittal to the General Accounting Office for preaudit.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Payments

3181. Disbursing.

1. In accordance with Executive Order No. 6166, dated June 10, 1933, disbursements for the Department of Agriculture are made by the Division of Disbursement of the Treasury Department, at the head of which is a Chief Disbursing Officer. In addition to the central disbursing offices in Washington, regional offices under the Chief Disbursing Officer are established throughout the United States to facilitate prompt payments. The Division of Disbursement may disburse moneys for the Department of Agriculture only upon, and in strict accordance with, vouchers duly certified by the Secretary or by an officer or employee of the Department duly authorized in writing by the Secretary to certify such vouchers.

2. While the payment to the creditor is ordinarily made directly by the Disbursing Officers, employees, under conditions covered by Regulation 3333, "Cash Purchases," and when in travel status as provided in the Standardized Government Travel Regulations, may use personal funds for payment of obligations of the Government and subsequently be reimbursed by the Government.

3182. Advances of Public Moneys.

1. No advances of public moneys shall be made in any case whatever, except as otherwise provided by law. (31 U. S. C. 529.)

2. The exceptions * permitted under the * law for the Department as a whole are as follows:

a. Subscription charges for newspapers, magazines, and other periodicals for official use of the Department may be paid in advance from appropriations available therefor. (31 U. S. C. 530.) (See Regulations 1912, 1914.)

b. * Rental charges for post office boxes for official use may be paid in advance on an annual basis. (25 Comp. Gen. 834.)

c. Charges for materials, supplies, equipment, work, or services to be furnished by another Government agency pursuant to section 601 of the Act of June 30, 1932, may be paid in advance. (31 U. S. C. 686.)

d. Advances of funds may be made for proper subsistence expenses of official travel, and for expenses incident to shipment of the household goods and personal effects of employees transferred from one duty station to another within the continental limits of the United States. (5 U. S. C. 828; Public Law 600, 79th Congress, approved August 2, 1946.) (See Regulations 3142, 3434, 3435.) *

e. Advances of money may be made, under the Act of June 3, 1902, for duly authorized expenditures for objects not within the travel expense category. (31 U. S. C. 533.) (See Regulations 3142, 3434.)

f. *** Employees of the Department stationed abroad may, with the approval of the Secretary, enter into leases for official

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Payments

3182. (cont. 1) quarters for periods not exceeding one year, and pay rent, telephone, subscriptions to publications, and other expenses incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance. General authority for a bureau to permit its employes to pay for such items in advance may be obtained from the Secretary. A signed copy of such authorization must be sent to the General Accounting Office for file and a reference to the authorization should be made on vouchers covering payments thereunder. (5 U. S. C. 543b.)

Revised 5-8-47 (Amendment 242)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Payments

3183. Cooperative Funds.

3184. Discounts. It is important that the Government receive the full benefit of all offers of discounts for payment within specified periods. Discounts should not be taken when payment is made after the specified time period has expired, unless authorized in writing by the vendor. The deduction of discounts under written agreements covering purchase of supplies by the Government is authorized only when the vendor makes an express offer of such discounts in his bid or agreement. Discounts stated on billheads should be taken on purchases made in the open market without special authorization from the vendor.

Where a contract provides for a discount for cash if paid within a fixed time, and the voucher is paid for the full amount, an explanation should be furnished with the voucher showing why the larger amount was paid.

Where there is any question as to the right to deduct the discount at the time of payment of a voucher, the discount should be deducted by a disbursing officer and payment of the balance tendered the payee, who, if not satisfied, may accept the payment under protest and file claim in the General Accounting Office for refund of the amount deducted.

3185. Partial Payments. In all cases of contracts for the performance of any service or the delivery of articles of any description, partial payments may be made when so provided by the terms of the contract but shall not exceed the value of the service rendered or of the articles delivered previous to such payment.

3186. Payments Due Employees or Creditors Who Are Deceased or Incompetent or Merged, Dissolved, or Liquidated Corporations. Checks drawn by a disbursing officer or agent of the United States which can not be paid because of the death or incompetence of * the payee or because the check is drawn to a merged, dissolved, or liquidated corporation or other payee no longer in existence or being, shall be returned to the issuing disbursing officer or agent for transmission to the General Accounting Office for payment of the proceeds thereof to the person ascertained to be entitled thereto, upon presentation of a valid claim.

Claims for amounts due deceased employees and individual deceased contractors or other public creditors shall be made on Standard Form 1055 Revised. No special claim form is required in the case of incompetents. However, a certificate of the court showing the appointment and qualification of the claimant as guardian or committee must accompany the claim. All claims for amounts due in deceased or incompetency cases and claims involving a merged, dissolved, or liquidated corporation or other payee no longer in existence or being, may be submitted by the bureaus directly to the General Accounting Office accompanied by a Form AD-42 properly executed and signed by a bureau official occupying or acting in a position which has been designated for this purpose by the Secretary. (See also Regulations 3158 and 3213.) *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

TAXES

3191. Federal Taxes

* (Canceled. Instructions on this subject will be issued periodically as the need arises due to changes in the tax laws or regulations.) *

3192. State and Local Taxes

1. There is no authority in any State, county, municipality, or other political subdivision to tax the United States and purchases by the Federal Government are exempt from all taxes imposed by such agencies. No appropriation may be used for the payment of State or other local taxes unless such payment is necessary to secure articles or supplies for official use.
2. State or local taxes are not chargeable to the Federal Government where the tax is collectible (1) from the consumer, or (2) direct from the dealer who sells to the Federal Government. Tax exemption certificates, Standard Form No. 1094, Revised, should be issued to the vendor covering taxable articles on which tax exemption is granted, issuing a separate certificate for the State or other local tax. If the tax is collected from an agency previously handling the article and the amount thereof is included in its price to the dealer selling to the Department, the Government is not entitled to tax exemption unless exemption is granted by local laws or regulations.
3. In states having a dealer's tax, purchases so far as practicable should be made from dealers who pay taxes direct to the tax authorities in order to obtain exemption from the tax, unless (a) other dealers are willing to reduce their prices by the amount of the tax, or (b) Government purchases are by local law or regulation exempted from tax.
4. When a dealer refuses to accept the tax exemption certificate and payment of the tax is required, the certificate will be issued and the dealer will be required to sign it in the space provided therefor. In addition, duplicate receipts will be obtained to support cash payments. The tax exemption certificate and the duplicate receipt will be used in administrative efforts to obtain refund from the taxing authorities of the amount of tax paid. Further instructions regarding the use of tax exemption certificates are contained in General Accounting Office General Regulations No. 86, Revised.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Compensation

3211. Computation of Salary. * Canceled. *

3212. Annual Salary Rates. * Canceled. *

3213. Final Salary Payment.

1. Final salary is considered to be all monies due for services or leave at the time an employee is separated from the service.
2. The final salary payment to an employee on an annual basis who is in an active duty status at the time of separation, or to an employee on a per diem basis who has reported for work on the day of separation, shall include pay for the day of separation from the service by death, resignation, or other termination of appointment. The final salary payment to an employee paid by the hour, or by the job, shall include, as to the day of separation from the service, pay only for the number of hours actually worked, or for the job or jobs completed, respectively, on said day of separation.
3. Before the final salary payment is made to an employee whose service has been terminated by resignation, etc., it shall be the duty of the responsible officer concerned to determine, by certification of employees maintaining the related records or otherwise, whether such employee is indebted to the United States for official property, advance of funds, suspensions, disallowances, etc.
4. Whenever an employee is indebted to the United States on any account at the time of separation, the voucher covering the salary or compensation otherwise due such employee shall not be submitted for payment in the usual manner, but shall be referred to the General Accounting Office for adjustment and settlement. (U. S. C. 71; Section 236, Revised Statutes, as amended by section 305, Budget and Accounting Act of June 10, 1921, 42 Stat. 24.) The administrative report submitted with the voucher to the General Accounting Office shall include a statement in regard to the former employee's responsibility for official property, advance of funds, suspensions or disallowances, or other indebtedness to the United States. Vouchers covering salary or compensation due employees who are deceased shall in every instance be forwarded to the General Accounting Office for adjustment and settlement. This procedure shall be followed whether or not the parties in interest have consented to a set-off, and regardless of whether the indebtedness does or does not involve an item for which credit has been disallowed. (47, 79, 115-2, 249.) (See also Regulations 3114 and 3233.)

3214. Additional Compensation. Unless specifically authorized by law employees of this Department shall not accept any other Federal salary if the combined annual rate of all salaries received exceeds \$2,000. (The pay of officers and enlisted men retired from the Army, Navy, Marine Corps and Coast Guard, and the pay of officers and enlisted men of the organized militia or naval militia of a State, Territory or the District of Columbia are not subject to this limitation.) (See also Regulations 2551-2557.)

An employee whose rate of compensation is \$2,500 per annum or more shall not receive compensation from any other position in the Federal Government, except that a retired officer of the Army, Navy, Marine

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Compensation

3214. (cont. 1) Corps, or Coast Guard may be appointed in this Department by the President by and with the advice and consent of the Senate. A retired enlisted man of the Army, Navy, Marine Corps or Coast Guard, or an officer of such organizations retired for injury or incapacity incurred in line of duty, may be appointed to a position in this Department regardless of the compensation attached thereto, except that a retired commissioned officer (unless retired for disability incurred in combat with an enemy of the United States) appointed to a position in this Department is entitled to retired pay only at a rate which together with his salary will not exceed the rate of \$3,000 per annum; if his retired pay amounts to or exceeds the rate of \$3,000 per annum, election may be made between such retired pay and the pay of the civilian position.

Unless specifically authorized by law, no employee of this Department shall be paid additional salary for extra work of any kind in any bureau, division, or other subdivision of the Department of Agriculture, nor shall any civilian retired for age be appointed to any position in this Department. (1,26, 54, 61, 62, 63, 66, 67, 68, 176, 513).

3215. Compensation of Part Time Employees. * Canceled. *

3216. Deductions for Leave Without Pay. * Canceled. *

3217. Pay for Sundays and Holidays. * Canceled. *

Revised 4-22-47 (Amendment 238)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

PAYMENT FOR SERVICES

3221. *Names on Pay Rolls. Pay rolls shall show a given name, additional initials or names, if any, and surname of each officer or employee entitled to payment. However, if an officer or employee, such as a married woman or a legally adopted person, uses a former legal name for practically all purposes, such name may, with the approval of a responsible bureau administrative officer, be used on the pay roll in lieu of such person's current legal name. A change may not be made in the name used on the pay roll until a corresponding change has been made in the personnel records.*

3222. *Personal Services at the Seat of Government. Payment for personal services performed at the seat of Government may be made only as specifically authorized by law. (43, 45, 46, 147)*

3223. Reimbursement of Loss by Exchange. Under the provisions of an act approved March 26, 1934 (48 Stat. 466), authorization was made for reimbursement of losses sustained by employees serving in foreign countries due to the appreciation of foreign currencies in their relation to the American dollar. Detailed instructions covering the procedure to be followed in claiming reimbursement are contained in Budget and Finance circulars. (114)

3224. Expenses Incident to Reporting for Work. All persons receiving original appointment in the Department, whether permanent or temporary, are required to report to their first permanent duty station at their own expense. If duty is performed at a temporary station prior to arrival at the permanent post the appointee is chargeable with the cost of a direct trip to the permanent post from his point of departure to assume first duty but may be paid any extra transportation and subsistence expenses caused by such temporary duty enroute.

3225. Mechanical Services, Equipment, and Supplies in the District of Columbia. (Canceled June 24, 1943, by Amendment 166. See Regulations 1838 and 4117.)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

ASSIGNMENTS AND ATTACHMENTS

3231. Salary Assignments. *Employees of the Department are not permitted to make assignments of their pay, since such assignments have been determined to be administratively undesirable. However, an employee may authorize the collection of his salary check or checks by another party by executing Treasury Form No. 6570, Power of Attorney by Individual for the Collection of a Specified Check, or Treasury Form No. 6569, Power of Attorney by Individual for the Collection of Checks. With this exception, checks in payment of salary must be delivered to and endorsed by the employees to whose order they are drawn.*

3232. Deductions, Garnishments, Attachments, Etc. No deduction shall be made from amounts due employees or other creditors except for payment of amounts legally due the United States. Trustee processes, garnishments, or attachments shall not be recognized by any employee of the Department with respect to moneys due employees or other creditors of the United States. (1677)

3233. Withholding Compensation Due Employees. Whenever upon the statement of the account of any disbursing officer of the United States in the General Accounting Office credit shall have been disallowed for any payment to any employee otherwise entitled to compensation, such compensation of the payee may be withheld until full reimbursement has been accomplished. (Public No. 618, 74th Congress, approved May 26, 1936.)

When it becomes necessary to apply the provisions of this act, after other means to secure refund from an employee have failed, the procedure will be as follows:

The accounting office of the bureau in whose accounts the disallowance has been made will prepare a letter addressed to the Director of Finance and approved by the bureau chief, containing the following:

- (a) a full explanation of the disallowance, name of the disbursing officer in whose accounts the disallowance has been made, his voucher number, date of payment, amount of disallowance, and symbol, title, and fiscal year of the appropriation to be credited;
- (b) a statement of the efforts made to secure refund of the amount disallowed and, if known, the employee's reason for refusing to make repayment;
- (c) a recommendation that payments otherwise due the employee be withheld in full, or in part (indicating the amounts to be withheld), until the disallowance is settled;
- (d) if the disallowance has been made on account of an overpayment of salary, which has caused an over-deposit to the Civil Service Retirement and Disability Fund, a statement as to what action will be taken to adjust the over-deposit made to that fund, in accordance with paragraph 5 of General Regulations No. 54, Supplement No. 3, Office of the Comptroller General, dated July 27, 1931.

If the employee from whose compensation deductions are to be made is no longer employed in the bureau concerned but is employed in another bureau of this Department, the letter should be submitted to the chief of that bureau for concurrence before being transmitted to the Director of Finance.

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Assignments and Attachments

3233 (cont.)

After approval of the recommendation by the Director of Finance, the bureau which is to make the collections will be notified by him to that effect and will proceed to collect the disallowed amount by "voucher deductions" from compensation due the employee by the use of Standard Form No. 1096, in the manner prescribed by paragraphs 9 to 13, inclusive, of General Regulations No. 87, Office of the Comptroller General, dated June 25, 1936.

In the case of a former employee who is working in another Government agency, and who has failed to refund the amount of a disallowance made in the accounts of a bureau of this Department, a letter will be prepared by the bureau, addressed to the head of the agency concerned, for the signature of the Secretary, containing the information called for in sub-paragraphs (a), (b), and (d), above, and requesting that action be taken to secure refund in accordance with the provisions of the Act of May 26, 1936, Public No. 618, 74th Congress.

Any request received from another Government agency to withhold the compensation of an employee of this Department should be transmitted to the Director of Finance by letter from the bureau in which the employee is paid, with the recommendation and information called for in sub-paragraphs (a), (b), and (c), above. If a request from another agency does not contain the information required by sub-paragraphs (a) and (b), the bureau will obtain it from the agency concerned before preparing the letter of transmittal.

No action shall be taken under the provisions of this act to withhold any compensation of an employee until after approval by the Director of Finance.

The requesting agency will be notified by the Director of Finance of the action taken upon its request. (See also Regulation 3213.)

CONTRACTS

3311. Form of Contracts.— Except as provided by law, all purchases and contracts exceeding \$50 for supplies or services, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles or performance of the services. The fact that there is no competition for a purchase shall, if practicable, be established conclusively by the actual solicitation of proposals and not based upon an assumption. No contract or purchase shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment. Contract purchases shall be made jointly under contracts entered into by authorized contracting officers of the United States. (1883, 1884)

The forms standardized by the Director of the Bureau of the Budget for contracts and bids should be used exclusively where applicable and their terms and instructions studied and observed. No changes may be made except upon prior approval of the Director.

3312. Preparation and Execution.— The solicitor of the Department or such of his field assistants as he may designate for the purpose shall prepare all formal contracts. The Secretary will sign all formal contracts. But leases of an annual value of \$500 or less may be executed by chiefs of bureaus or such supervisory field officers of their bureaus as the chief may designate for that purpose; and such supervisory field officers may prepare the leases which they are to execute. A copy of each lease should be sent for file to the real estate officer of the Department.

Two originals should be regularly executed. If the execution of more original-duplicates is desired by the bureau, the reason therefor should be stated when the instruments are forwarded to the Secretary for signature. (See Paragraph 1712.)

Contracts

3313. Statement and Certificate of Award.- Statement and Certificate of Award (Standard Form No. 1036) shall be used to support all agreements, both formal contracts and less formal agreements, except public utility contracts, involving the expenditure or receipt of public funds. The purpose of this form is to establish the fact of compliance with law and good business administration in respect to advertising, securing competition, acceptance of the bid of the lowest bidder as to price (expenditure) or highest bidder as to price (receipt) and execution of a lawful agreement. This form must be executed and signed by the contracting officer who signs the agreement to which it is attached.

3314. Filing of Contracts.- As is provided in the chapter on Accounts, where the contract consists of a bid and acceptance only, the accepted bid should accompany the voucher to the General Accounting Office, where the amount involved is less than \$1,000 and but one payment is to be made; in all other cases (whether an accepted bid or a formal contract executed by the Secretary) the contract will be forwarded immediately to the General Accounting Office. A second original should be furnished the contractor. The bureau should retain at least one copy. (1888) (See also Paragraph 3117.)

3315. Mailing of Contracts.- Instruments mailed to contractors for execution and notices to begin work thereunder should be registered and the receipts retained so long as there is the possibility that the fact or date of their receipt may be contested.

3316. Interest of Members of Congress.- In every contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no Member of or Delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise therefrom. (1283, 1284, 1890)

3317. Personal Interest in Contracts.- No officer or employee of the Department who is in a position either to influence the award of a contract with the Department or to cause purchases of supplies to be made for the Department, shall be interested in any firm, company, or corporation doing business with the Department unless such interest shall be disclosed in writing and approved by the chief of bureau in advance of the award of any contracts by such officer or employee. (See also Paragraph 1541.)

3318. Contracts Covering Use of Equipment or Property Loaned or Rented to the Department.- Contracts may be executed for the maintenance of equipment or property loaned without charge or rented to the Government, during its continued use. The terms of such contracts shall provide that the expenditure for maintenance shall not exceed the value of the equipment or property and may provide for the return of the equipment or property in as good condition, ordinary wear and tear excepted, as when received. However, public funds are not available for repairs to loaned or rented equipment or property after such use is terminated, for the purpose of returning the equipment or property in good condition.

DEPARTMENT OF AGRICULTURE

WASHINGTON

July 23, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 63.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, which has been designated as regulation 3318, and entitled "Contracts Covering Use of Equipment or Property Loaned or Rented to the Department."

A previous regulation, numbered 3318 and entitled "Contracts Covering Use of Equipment or Property Loaned to Government Without Charge," was rescinded under date of June 17, 1937, Amendment No. 31, for the reason that at the time there was doubt whether in the absence of specific legislative authority reimbursement could be made for damage or destruction of property loaned "without charge" to the Government. After further consideration it has been determined that if an appropriation is available for the rental of equipment, it is likewise available for the maintenance of equipment or property loaned or rented to the Department.

This regulation is promulgated effective immediately.

All copies of the Regulations should be modified by the addition of the title of this regulation in the appropriate place in the Table of Contents and the following items to the Index:

"Equipment, maintenance of when loaned or
rented to Department - - - - - 3318
Payment for maintenance of equipment or
property loaned or rented to Department- - - 3318
Property, maintenance of when loaned or
rented to Department - - - - - 3318"

W. L. Wilson
Acting Secretary.

Contracts

3319. Liquidated Damages.- Whenever bids are invited for the performance of work or the furnishing of services or supplies in connection with which time is an essential element, and failure to complete the work, or furnish the services or supplies within the required time, will result in substantial damage to the United States, the specifications should include a stipulation that the bidder, if awarded the contract, shall pay to the Government without the showing of actual damage, a reasonable stated amount for each calendar day's delay, as fixed and agreed liquidated damages. Liquidated damages for delays wholly disproportionate to the probable actual damage involved and not primarily established as a measure of compensation should not be specified.

Contract specifications may properly provide, if service needs are urgent, that bids will be evaluated on the basis required for delivery of supplies, rendition of services, or completion of work in excess of a reasonable period specified, with a comparable provision for liquidated damages in case of delay, but in no case should it be provided that bids will be rejected if specifying a period of delivery or completion longer than that stated in the specifications unless it can be clearly established that the need is such the Government's interest will not be protected by an evaluation of the bids over a longer period.

A stipulation shall be inserted for liquidated damages for delay in all contracts in excess of \$2,000 in amount entered into with the Department for the construction or repair of any building or public work under the control of the Department.

Where deemed necessary, liquidated damages for delays in delivery should be provided for in contracts for articles, materials, supplies or equipment, but, in such cases, if the damages due to delivery delays will be reduced in proportion to partial deliveries, the stipulation should be on the

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 18, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 50.

Paragraph 3319, entitled "Liquidated Damages and Time of Delivery", is amended, effective immediately, as appears on the reverse side of this sheet. This regulation has been expanded so as to give a more comprehensive account of the subject.

The following change in the title of the paragraph should be made in the Table of Contents:

"3319. Liquidated Damages."

H Wallace

Secretary..

Contracts

basis of an appropriate percentage of the contract price of any undelivered supplies for each calendar day of delay after the delivery date fixed in the contract.

There is no legal authority for remission of the accrued liquidated damages unless the delay was due to causes excusable under the terms of the contract, and whenever the remission of liquidated damages is for consideration the case, supported by the administrative finding of fact, is for reference to the General Accounting Office for examination and settlement. (For detailed instructions as to procedure in case of failure of a contractor to prosecute work under a contract providing for payment of liquidated damages; see U. S. Standard Forms [of contract], Nos. 23 and 32, revised September 9, 1935, and June 18, 1935, respectively.)

BIDS

3321. Specifications.— Federal specifications must be used and Simplified Practice recommendations should be complied with whenever practicable. Specifications must state accurately and describe adequately and impartially the article required. If for administrative reasons a Federal specification can not be used to meet a particular or essential need, a special purchase specification may be used but such specification shall include all applicable provisions of the Federal specifications and in those cases where the purchases exceed \$1,000 a report shall be made through the division of purchase, sales, and traffic to the Procurement Division, Branch of Supply, Treasury Department, showing the necessity for deviation from the Federal specification. Appropriated moneys of the United States may not lawfully be charged with payments under a contract awarded upon specifications so narrowly drawn as to eliminate real competition as contemplated by section 3709 Revised Statutes. A manufacturer's or trade name with the words "or equal" added may be used only in a case where the needs of the Government are of such an unusual character that difficulty arises in describing or specifying what is needed, and there is a make of article embodying the minimum requirements, and then only for the purpose of indicating to prospective bidders the general type of article required, but not for the purpose of eliminating or restricting competition, or gratifying a preference for the particular product named. Specifications must state fully all service requirements.

3322. Advertising.— To give to all an equal right and opportunity to compete for Government business, secure to the Government the full benefit of competition and prevent favoritism and eliminate fraud in public purchases, advertising for proposals for contracts to be made by the Department is required under the provisions of Section 3709 of the Revised Statutes as amended

Bids

by the act of March 1, 1899 (30 Stat. 957). Advertising that gives reasonable publicity to the needs of the Department and results in obtaining the benefit of all available competition under the circumstances of the particular case generally will be regarded as compliance with the statutes.

Advertising is not required where the aggregate amount involved is not in excess of \$50, or where it could not, from the nature of the article or service, result in competition, or where it would be plainly ineffective to reduce expenses. Illustrations of such conditions are as follows:

The articles wanted are patented or copyrighted and not on sale by dealers but by the owners of the patent or copyright or their agents or assigns at a fixed and uniform price.

There is only one dealer within a practicable distance from whom the articles can be obtained.

Prices or rates are fixed by legislation either Federal, State, or municipal, or by competent regulation.

Previous advertising for the identical purchase has produced no proposals or only such as were unreasonable, and under circumstances indicating the futility of further advertising.

Advertising may also be dispensed with and the purchase made in the open market where an emergency of the service existing prior to the order will not admit of the delay incident thereto.

An advertisement for proposals for contracts exceeding \$50 but below \$5000 need not be by publication in the newspapers, but may be by

Bids

oral solicitation of prices from a reasonable number of dealers, by circular letter to all firms and individuals known or believed to be in a position to quote in accordance with the requirements of the specifications, by the posting of notices or handbills in public places, such as post offices, or by other usually followed and effective methods jointly with either of above methods. All requests for proposals shall be outstanding a sufficient length of time to insure adequate consideration.

Advertising for proposals for contracts involving the expenditure of \$5000 or more shall include advertisement by newspapers. In specific instances newspaper advertising may be waived by the chief of the division of purchase, sales, and traffic on bureau recommendation supported by adequate reasons therefor.

Advertisements may properly limit competition to manufacturers of or dealers in such articles or services who are competent to furnish such articles or services of the particular character required. An invitation to bid sent on the initiative of the Department to a person or corporation is prima facie evidence that the Department considers the prospective bidder responsible and competent. If a low bid is to be rejected because there is belief that the bidder is not competent to furnish the articles or services required, the administrative statement of reasons should be submitted to the chief of the division of purchase, sales, and traffic for transmission to the General Accounting Office, for consideration in advance of awarding the contract. (1872)

3323. Publication of Advertisements.— Chiefs of bureaus; regional foresters and forest supervisors, Forest Service; district engineers of the Bureau of Public Roads; regional conservators,

Bids

1- Publication
2- Authorization
3- Approval
4- Review
5- Distribution

Soil Conservation Service; and directors of experiment stations outside the continental limits of the United States are authorized to order the publication of advertisements and notices in newspapers or trade journals, either directly by transmittal to the publisher of the standard form of advertising order approved by the Comptroller General or by written publication in named newspapers or trade journals. In the latter form of authorization, specification of the advertising medium is essential. (2009, 2010, 2011, 2012)

3324. Bids.— A bid may be withdrawn at any time prior to the time of opening. After bids are opened, withdrawal of a bid will not be permitted. Claims that mistakes have been made in bidding must be submitted to the Comptroller General for determination. In such cases, the low bidder shall not be permitted to withdraw its bid upon the allegation of error, but the contracting officer should transmit to the office of the Comptroller General a copy of the advertisement, proposal, etc., accompanied by evidence of the alleged error, and a statement from the low bidder as to how it occurred. The Comptroller General will then determine whether or not a mistake was made.

Awards under bids are to be made item by item unless otherwise specified by bidder or where it is clearly to the advantage of the Government to accept the lowest aggregate bid meeting the specifications. In making an award on this form of bid, the lowest quotation in the aggregate must be considered in competition with a total of the lowest quotations by items with freight and other elements of costs considered. (See also Paragraph 3348.)

Request for telegraphic bids should not be made except under emergency conditions. It should rarely be necessary for any bureau to request

Bids

telegraphic bids. In cases where telegraphic bids are not requested, the advertisement should provide that telegraphic bids will not be accepted.

A determination of award where discounts are offered in bids is a matter for decision by the purchasing officer. If, by reason of the discount offered, a bid is low and there appears, in the judgment of the purchasing officer, reasonable certainty that the performance of the necessary administrative duties in connection with receipt, inspection, payment, and practicability of accomplishment, the bid should be accepted; if not, the bid should not be regarded as low.

In making the contract to the lowest bidder, the contracting officer shall not modify the terms of his specification in regard to the time of delivery or any other material element. No modifications of the bid shall be permitted after the opening, and no negotiations shall be conducted by the Department with a bidder who modifies or changes a bid.

While the Government may not force the bidder to accept the award under terms different from those contained in his bid, modifications may, after award, be made with bidder's consent, and the changes mutually agreed upon may be embodied in the contract.

Prices must be requested f.o.b. bidder's shipping point as well as destination.

When an effort has been made to obtain competition and only one bid is received and, in the judgment of the purchasing officer, it is considered reasonable, it may be accepted. A detailed explanation must be submitted in every such instance, however.

Bids

When early delivery of supplies, materials, or equipment is an essential requirement the specifications should clearly state such requirements and that time of delivery will be a factor in making award. The specifications should include a provision for the bidder to state the number of calendar days that he will require to make delivery after notice to proceed. (1878)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Types of Purchases

3331. * Purchases Within the Open Market Limitation. When the amount of a purchase or service is within the open market purchase limitation (for the Department in general, \$100), competition and advertising are not required by law. However, it is the policy of the Department to make such open market transactions at the lowest cost to the Government, all factors considered, and therefore the authority to purchase in the open market should not be construed to dispense with reasonable price inquiry among possible competitors. Purchases should not be split to bring them within the open market limitation nor should competitive term contracts be avoided to permit piecemeal purchases within the limitation. When the continued need for supplies or services of a similar nature will not aggregate an amount in excess of the open market limitation during any one fiscal year, the purchase of such supplies or services should be covered by a contract where administratively considered desirable in the Government's interest. Such an agreement should be reduced to writing, numbered, and filed in the General Accounting Office. (Section 9, Public Law 600-79th Congress) *

3332. Emergency Open Market Purchases. When the public exigencies require the immediate delivery of articles or performance of services, the articles or services required may be procured in the open market in the manner in which such articles are usually bought and sold or such services engaged between individuals. An "exigency" is a sudden or unexpected happening; an unforeseen occurrence or condition; a perplexing contingency or complication of circumstance; a sudden or unexpected occasion for action. When purchases * exceeding the open market purchase limitation are made under the "exigency" provision, a statement explaining the exigency should be attached to the voucher. (Section 9, Public Law 600-79th Congress) *

3333. Cash Purchases

1. In Emergencies. In order to meet public exigencies or urgent requirements which cannot be satisfied through usual procedure, employees may procure necessary supplies, equipment, or services through the cash expenditure of personal funds. Each covering reimbursement voucher must be *** supported by:

a. A signed receipt if the cash purchases from any one dealer at any one time exceed \$1.00. (When administratively desirable, bureaus may require a receipt for purchases amounting to \$1.00 or less.)

b. A statement of the circumstances which necessitated cash procurement if the aggregate amount from any one dealer at any one time exceeds \$5.00.

2. In Enforcement of Regulatory Laws. An employee engaged in the enforcement of regulatory laws may make cash purchases without obtaining receipts when such authority is properly provided in his letter of authorization.

3. By Employees in Travel Status. The Standardized Government Travel Regulations as amended govern cash purchases made by employees in travel status.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Restrictions Upon Purchases

3341. Purchases of Foreign Materials. Only articles, materials, or supplies mined, produced, or manufactured in the United States are to be purchased unless the Secretary of Agriculture (insofar as contractual obligations of the Department are concerned) or the Secretary of the Treasury (as to contracts under the General Schedule of Supplies) shall determine (personally, or under an assignment of authority as indicated hereunder) as follows:

- (1) that the purchase of domestic articles in the particular instance would be inconsistent with the public interest; or
- (2) that the cost of such domestic articles would be unreasonable; or
- (3) that the articles, or the materials from which they are manufactured, are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality..

The determinations required under numbered subparagraphs (1) and (2) must be made by the head of the Department personally. A general determination already made under subparagraph (2) will be found in paragraph 10 of Budget and Finance Circular No. 2, Revised, dated April 24, 1936. Determinations under subparagraph (3) may be made by subordinates to whom that duty has been assigned by the Secretary.

Whenever articles, materials, or supplies of other than domestic origin are purchased, an appropriate certificate or certificates must accompany each voucher to the General Accounting Office. Detailed information as to content of such certificates is to be found in Budget and Finance Circulars.

Books, periodicals, magazines, newspapers, and the printing of briefs are not subject to the provisions of Title III of the Act of March 3, 1933, restricting the purchase of materials of foreign origin. (1880, 1881)

3342. Purchases of Articles of a Personal Nature. * Expenditures from appropriations available for the procurement of supplies and materials or equipment may be made for the purchase and maintenance, in accordance with bureau procurement policies and procedures, of special clothing and equipment for the protection of personnel in the performance of their assigned tasks. "Protection," as used in this Regulation, means protection from physical injury or occupational disease. Articles of personal equipment other than for the protection of personnel shall not be purchased from an appropriation of the Department (1) without specific statutory authority, or (2) unless the object for which the appropriation was made cannot be accomplished as expeditiously and satisfactorily from the Government standpoint without such equipment, and the equipment is such that the employee could not reasonably be required to furnish it as a part of the personal equipment necessary to enable him to perform the regular duties of the position to which he was appointed or for which his services were engaged. (Section 13, Public Law 600, 79th Congress) (3 Comp. Gen. 433) *

3343. General Schedule of Supplies. Except as to items carried in the Department's Central Supply Stock, all items of supply and equipment listed in the General Schedule of Supplies, issued by the Procurement Division, Treasury Department, must be purchased from sources indicated therein when delivery is to be made to the Department in Washington.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Restrictions Upon Purchases

3343 (cont. 1)

Purchases from the General Schedule of Supplies for delivery to points in the field must be made from contractors listed therein where the field service is specifically covered by the Schedule. If the Schedule does not specifically cover the field service, purchase may be made in accordance with the Special Conditions appearing in the preface of the Schedule.

Procurement Division waiver as to mandatory purchases from the General Schedule of Supplies may be secured through the Division of Purchase, Sales, and Traffic, upon a showing that the requirement is of a special character and cannot be met by purchase of the contract item. (161)

3344. Central Supply Division Store Stock. Items of common supplies are carried in the Department's Central Supply Stock located in Washington, D. C. Such stock items are subject to requisition for delivery in Washington or shipment to the field at cost plus handling charges and transportation expense, if any. (See Central Supply Division Stock List.)

3345. Printed Forms. Standard Government forms and Department of Agriculture forms are carried in the Department's Central Supply Stock located in Washington, D. C. Such forms are subject to requisition to meet normal operations and will be delivered in Washington or shipped to the field without cost, except handling and transportation charges. (See Central Supply Division Stock List.)

3346. Purchases of Products Manufactured by Federal Prison Industries, Inc. Unless otherwise specifically authorized by law, products of the Federal Prison Industries, Inc. must be purchased from the Federal Prison Industries, Inc. The chief industries which dispose of their products to other Government agencies consist of one each of the following types of mills: broom and brush, clothing, mattress, shoe, rubber, textile. A list of the products manufactured can be secured from the Chief, Division of Purchase, Sales, and Traffic. While the products change from time to time, the following types of articles are usually available:

Bags	Name plates
Baskets	Pulleys
Brooms	Shoes
Brushes	Steel cases
Clothing, work	Tents
Drain traps and grates	Traffic standards
Grilles, floor and wall	Uniforms
Mats	Woven cotton fabrics

Vouchers covering purchases of similar material made in the open market must be accompanied to the General Accounting Office with a clearance from the Federal Prison Industries, Inc. authorizing such open market purchases. (1311)

3347. Scientific and Experimental Equipment. Purchases of scientific and experimental equipment intended for laboratory or research work may be made, without regard to the Procurement Division schedule, upon approval by the chief of bureau when similar articles included in the General Schedule of Supplies or other contracts controlled by the Procurement Division are not of the grade or manufacture required. Vouchers covering such purchases shall contain a statement to that effect and also recite that each purchase was made under authority of paragraph A-6 of the Regulations Governing the Operation of the Branch of Supply, Procurement Division, Treasury Department, approved by the Secretary of the Treasury on April 10, 1935.

Restrictions upon Purchases

3349. Purchases from Expired Contracts; Contracts Covering Two Fiscal Years.— After the supplies or services covered by a contract have been furnished, whether on the definite quantity or more-or-less basis, additional supplies or services thereunder should not be ordered; fresh competition and a new contract are required. Contracts should not involve payments from the appropriations of two fiscal years unless at the time of execution the appropriation for the succeeding fiscal year has been made, in which case the contract may cover the needs of the remainder of the current fiscal year and those of the succeeding period, provided the agreement clearly discloses the quantity and amount chargeable to each fiscal year's appropriation. Contracts made during the fiscal year before funds for the succeeding year have been appropriated may contain a renewal option to cover the next fiscal year; but this option should not be exercised unless there has been fresh advertising and it has produced no lower price.

Inasmuch as public utility contracts are primarily quotations of rates that will be paid if the Government elects to use such services, it is permissible when there is no competition between different companies available for supplying a particular class of service in a given locality to enter into agreements to furnish such services at stipulated rates "until further notice" without the necessity for new agreements on annual renewals except as required to cover changes in rates or service.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

General Provisions

3411. * General Policy

1. Travel must be limited to that necessary to carry on the work of the Department effectively and must be duly authorized or approved by a competent administrative officer. Itineraries must be carefully planned in advance so the required official business will be accomplished with the minimum of travel and expense. It is incumbent on all authorizing and reviewing officers, and on the individual departmental traveler, to exercise prudent judgment in determining whether travel is required in the interest of the Government and in determining the mode of travel,—train, airplane, automobile, or other usual means of conveyance.

2. Travel will be governed by the Standardized Government Travel Regulations except in specific instances where laws, orders, decisions, or the Department Regulations provide otherwise. Where deemed necessary, additional requirements may be established by the bureaus.

3. The Director of Finance has general responsibility within the Department for policies, procedures, and related matters pertaining to expenditures for travel, in conformity with the foregoing. (See also Regulation 3421) *

3412. Routes to Be Followed.— Travel expenses will be allowed by the most economical usually traveled route over the itinerary, if any, specified in the travel order. Additional cost caused by deviation from the shortest and most direct route will not be allowed unless due to exigencies of travel which must be satisfactorily explained in the expense account. Deviation for personal convenience will be at the expense of the officer or employee. Salary will not be deducted for time lost by reason of the longer route when the additional time has been charged to the employee's annual leave.

3413. Stopping Over or Detention En Route.— Unauthorized stopping over at any point or any detention en route will not be allowed unless due to exigencies of travel which must be fully explained in the expense account. An employee in a travel status who, for personal reasons, leaves his place of duty over Sundays or holidays may not receive reimbursement of the cost of transportation incurred although the amount does not exceed the probable cost of subsistence to which he would have been entitled had he remained at such place of duty.

An employee is not entitled to per diem in lieu of subsistence for periods during which leave of absence, whether annual or sick, is taken while in a travel status. Fractional leave of absence wholly within a day, where for half of the prescribed working hours or less, will be disregarded for subsistence purposes.

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General Provisions

3414. * Sleeping Accommodations on Trains. Accommodations costing more than a standard lower berth will be allowed only when the certificate required by paragraph 13 (a) (1) of the Standardized Government Travel Regulations indicates that neither an upper nor a lower berth was available, except as provided in (a) and (b) below:

(a) When a lower berth is unavailable and an upper berth is available but is not used by the traveler, due to illness, physical handicap or incapacity, the certificate for superior accommodations required by paragraph 13 (a) (1), cited above, will be deemed sufficient, when approved by a bureau official who authorizes or approves travel.

(b) In exceptional cases, when in their judgment such action is warranted, chiefs of bureaus, or in their absence, acting chiefs, may specifically authorize or approve accommodations costing more than a lower berth (when a lower berth is not available) under the provisions of paragraph 13 (a) (1) cited above. *

3415. Use of Transportation Requests.- A transportation request is an order by proper authority upon the prescribed standard form for specified passenger, sleeping-car, stateroom, or other commonly recognized transportation accommodation, including established autobus, stage-coach, and air lines, for presentation by persons traveling on official business to transportation companies in the United States and steamship lines having ports of call within the United States for exchange by them for such accommodations.

Transportation requests should be used, when practicable, to obtain all official transportation when the amount involved is \$1 or more but should not be issued to companies other than transportation lines commonly recognized as such.

Transportation requests must not be used for personal travel.

The request should be filled out in detail, showing route, kind, and class of ticket obtained, and value inserted on carbon copy. If in an emergency cash transportation is effected, full explanation why travel request was not used should appear on the travel expense voucher.

Each employee of the Department having custody of Government requests for transportation shall be held accountable for them and chargeable with the amount which is required to be paid by the United States by reason of improper use of such requests resulting from his fault or negligence.

Alterations or erasures on a transportation request should be made only by a person who has authority to issue the request. Alterations or erasures should be initialed by the person making the change.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

General Provisions

3415 (cont.)

Additional accommodations required by an employee over those originally provided for him should be paid for by himself and reimbursement requested therefor, which can be made only after the same are furnished and are ratified and approved as necessary and required for the Government's interest.

When transportation requests are used for travel on an extra-fare train and such use is not authorized or approved, the excess cost of such travel over the regular fare will be collected by the proper Government official from the traveler. (1255, 1256)

3416. Use of American Flag Ships Required. (Canceled June 24, 1943, by Amendment No. 166. See Regulation 1824.)

3417. Negotiations for Special Rates and Other Concessions. (Canceled Dec. 29, 1943.)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Authorization

3421. Authority Delegated and Reserved

1. Subject to the limitations prescribed in this Regulation, chiefs of bureaus may (a) authorize or approve travel and transportation in accordance with applicable statutes, orders, decisions, etc., the Standardized Government Travel Regulations, the Department Regulations, and memoranda and circulars issued by the Office of the Secretary and its branches, and (b) delegate this authority to their subordinates to the extent necessary for good administration, provided, however, that such delegation by chiefs of bureaus shall not extend to approval of travel performed without prior authority where no emergency existed, * or to approval of accommodations costing more than a standard lower berth, when necessary for security purposes, * or to authorization of travel to attend meetings except as otherwise provided in Regulation 1512. (For transportation on permanent change of station, see Regulation 3435.)

2. The concurrence of the * Director of Finance * must be obtained in advance on authorizations for travel in furtherance of activities of the Department by persons other than Government officers and employees. The authorization shall include a statement of the necessity for such travel. (See Regulation 3433.) ***

3. The concurrence of the Director of Finance must be obtained (a) on authorizations for travel to and from the Territories and insular possessions of the United States, and (b) on authorizations or approvals for travel by extra-fare trains, except as otherwise provided in Regulation 3439.

4. The concurrence of the Directors of Finance and of Foreign Agricultural Relations must be obtained on authorizations for all travel outside the continental limits of the United States except travel (a) specified in paragraph 3(a) above, (b) within the Territories and insular possessions of the United States by employees stationed therein, (c) within the areas of Canada and Mexico adjacent or in proximity to the United States by employees whose duties necessitate such travel, and (d) between points in the United States when the most economical usually travelled route involves travel outside the continental limits of the United States (see Regulations 3461 and 1821-1824).

5. The concurrence of the Director of Personnel must be obtained on certain authorizations for travel to attend meetings, as required by Regulation 1512.

3422. General Travel Authorizations. General or blanket travel authorizations may be issued to employees who, by the nature of their duties, are required to travel repeatedly and frequently within an area from their official stations on short notice or upon the happening of unforeseen events which necessitate prompt action, particularly in matters requiring the exercise of individual discretion, or to employees whose duties otherwise make impracticable the issuance to them of letters of authorization specifying the trip or trips to be made. Such general or blanket travel authorizations must be limited as to the time and area in which travel may be performed.

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Authorization

3422. (cont. 1) They shall be renewed at least as frequently as there is any change in status affecting the travel required and not less often than each fiscal year. General or blanket travel authorizations permitting employees to travel at will anywhere in the continental United States are too broad, unless circumstances are such as to require such authorizations. It is the policy of the Department that both the number and scope of general travel authorizations shall be kept to the minimum essential for efficient administration. (See Budget and Finance Memorandum No. 174, dated October 18, 1939, and Budget and Finance Circular 474, dated September 17, 1941.)

Revised 10-24-46 (Amendment 231)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel Expenses

5431. * Per Diem in Lieu of Actual Expenses

1. Per diem in lieu of actual expenses (except as provided in paragraphs 4 and 5 of this regulation) may be allowed to employees while traveling on official business and away from their designated posts of duty in accordance with the Standardized Government Travel Regulations; Provided, that the per diem allowance shall not exceed the rate of \$3.00 while on commercial vessels when the price of passage includes meals. If travel is performed on a vessel owned or controlled by the United States, the basic per diem rate applies, subject to one-fifth reduction for each meal furnished the traveler by a Government agency without charge. (Stand. Govt. Travel Regs., par. 44(a) and 47(a); Comp. Gen. B-51124, August 9, 1945.)

2. Information as to the maximum rates allowable for travel beyond the limits of the continental United States as promulgated by the Bureau of the Budget will be disseminated by the Office of Budget and Finance.

3. Under no circumstances will per diem in lieu of subsistence be allowed an employee at his official station (Stand. Govt. Travel Regs., par. 46). Per diem in lieu of subsistence shall not be paid to an employee for time spent at his official headquarters upon temporary return thereto while in an official travel status, whether the return is for official or personal reasons. Consideration should be given by bureaus to economies which may be effected in per diem costs; for example, by directing travelers to return to their official station from nearby temporary duty stations over week-ends and holidays.

4. Persons employed intermittently as consultants or experts and receiving compensation on a per diem when-actually-employed basis may be allowed per diem in lieu of subsistence while traveling away from their homes or regular places of business (private) and while at place of employment, subject in other respects to the Standardized Government Travel Regulations and this regulation. (Public Law 600, sec. 5, 79th Cong.)

5. Persons serving without compensation (with or without appointment) or at \$1 per annum may be allowed not to exceed \$10.00 per diem in lieu of subsistence while traveling away from their homes or regular places of business (private) and while at place of such service or employment, unless a higher rate is specifically provided in an appropriation or other act; subject to procedures prescribed in the Standardized Government Travel Regulations. * (Public Law 600, sec. 5, 79th Cong.)

6. The per diem rates specified represent the maxima allowable. It shall be the responsibility of the chief of each bureau to prescribe standards within the foregoing maxima governing the peculiar needs of his bureau. In prescribing such standards, all factors that bear upon a fair and equitable per diem allowance, both from the standpoint of the employee concerned and of the Department needs, shall be taken into consideration.

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Travel Expenses

3431. (cont. 1)

7. A copy of standards prescribed and any amendments thereto shall be filed promptly with the Director of Finance, who is authorized to review them for the purpose of obtaining, if possible, uniformly equitable rates throughout the Department.

3432. Expenses of Detailed or Loaned Employees. Properly authorized traveling expenses incurred by an employee in connection with work for which he is detailed or loaned from one Government agency to another may be paid by the agency to which such employee is detailed or loaned.

3433. Expenses of Private Persons

1. When travel for the benefit of the Department is to be performed by persons who are not Government employees, * per diem in lieu of subsistence as provided in Regulation 3431, paragraph 5, and other travel expenses may be allowed to such persons while away from their homes or regular places of business in accordance with the Standardized Government Travel Regulations. (Advance approval of travel authorization by the Director of Finance is required--see Regulation 3421, paragraph 2.) ***

2. All vouchers claiming reimbursement of * traveling expenses and per diem in lieu of subsistence submitted by private persons shall indicate that the claim is made by a private person by inserting in the body of voucher form No. 1012 the phrase "Not Government Employee." *

3434. Advancement of Funds for Expenses

1. Classes of Advances. Advances of funds are of two types:

a. Under the Subsistence Expense Act of 1926, * as amended, * for proper subsistence expenses of official travel * and expenses incident to movement of household goods and personal effects due to authorized transfer of official station for permanent duty. * Such advances are governed by Departmental Regulations, Treasury Department Circular No. 369-Revised, and General Accounting Office General Regulations No. 88 and revisions and supplements thereto.

b. Under the act of June 3, 1902 (31 U. S. C. 533), applicable only to the Department of Agriculture, for duly authorized expenditures for objects not within the * subsistence * expense category, such as hire of laborers, purchase of samples, etc. Such advances will be made only where it is probable that the payment of such *** expenses cannot practically be made by a disbursing officer.

2. Applications for Advances. Applications for advances shall be made on Standard Form 1038-Revised which must be approved by an official who has been duly designated for the purpose by the Secretary of Agriculture, on recommendation by the chief of bureau, in a letter addressed to the Chief Disbursing Officer, Treasury Department. Such authorizations to approve advances are subject to the following limitations:

a. * Under the Subsistence Expense Act of 1926 and the act of August 2, 1946, designated officials are authorized to approve applications for

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Travel Expenses

3434. (cont. 1) advances in the amount of \$1,000 or less for (a) subsistence expenses incident to official travel or (b) expenses in connection with transfer of official station within the continental United States. Applications for advances for these purposes exceeding \$1,000 must be approved by the Director of Finance. *

b. Under the act of June 3, 1902, designated officials are authorized to approve applications for advances within the maximum amount of \$4,000, but if the amount exceeds \$2,000, the application must also be approved by the Director of Finance.

3. Amount of Advance.

a. The maximum amount that may be advanced under the Subsistence Expense Act of 1926, * as amended, for subsistence expenses and expenses for transporting household goods within the continental United States, * including any amount of advance or advances unaccounted for, shall be \$2,000 and the minimum advance that may be made shall be \$25. The maximum amount that may be advanced under the Act of June 3, 1902, shall be \$4,000 and the minimum \$50.

b. * In requesting an advance in connection with shipment of household goods and personal effects, the applicant shall submit a written statement disclosing the number of rooms containing his personal property which is for shipment, such number of rooms to exclude bathrooms and closets, and reception hallways in apartments. The reported number of rooms shall be multiplied by 1,000, and the result shall be considered the estimated net weight of the prospective shipment. Such statement shall also designate the shipping point and the destination. The estimated weight and the distances between the origin and the destination of the shipment shall be used as the factors required by the schedule of rates to compute the amount of funds which may be advanced in anticipation of the ultimate settlement to be made under applicable regulations.

4. Rendering Accounts

a. Accounts covering expenses incurred while in regular travel status must be rendered promptly at the end of each trip, except in the case of intermittent trips of brief duration, and in any event, monthly.

b. Accounts covering official expenditures not embraced by paragraph 4a above shall be rendered at least monthly. *

c. A properly executed Standard Form 1039-Revised will be attached to each account rendered. Any unexpended balance must be promptly repaid as soon as the immediate need therefor ceases. Failure properly and promptly to account for advances will be reported by the Chief Disbursing Officer to the Comptroller General of the United States and subsequent advances will be refused for failure so to account or for delinquencies in making repayment of any unused balance of an advance.

5. Security for Advances. Bonds must be furnished to cover advances of funds under the Subsistence Expense Act of 1926, * as amended, *

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Travel Expenses

3434. (cont. 2) or the act of June 3, 1902. Bonds for advances under the Subsistence Expense Act of 1926, as amended, may be secured by surety or by the deposit of United States Bonds, Treasury notes, or other public debt obligations of the United States or obligations which are unconditionally guaranteed as to both principal and interest by the United States. For information on bond forms, see Regulation 3142.

3435. * Transportation on Permanent Change of Station. An employee transferring within the Department of Agriculture from one official station to another or from another department of the Government to the Department of Agriculture for permanent duty, will be allowed expenses for travel, for transportation of his household goods and personal effects, and for transportation of his immediate family, when such expenses are authorized in accordance with provisions outlined in this regulation. In no case will such expenses be allowed where the transfer is made primarily for the convenience or benefit of the employee, or at his request. Payment of these expenses should be considered by the appropriate officials at the same time the authorization to change station is considered since the same factors are involved. Chiefs of bureaus shall be responsible for seeing that the policies followed are both economical for the Government and equitable to the employees.

All travel and transportation allowable under this regulation shall begin within two years from the effective date of the transfer of the employee, except that, for employees who enter upon active military, naval, or coast guard duty at any time prior to the expiration of such period and are furloughed for the duration of such duty, the two-year period shall be exclusive of the time spent on such furlough; and for employees transferred to posts of duty outside the continental United States the two-year period shall be exclusive of any time during which shipping restrictions make the travel and transportation impossible. Administrative officers should urge that travel and transportation be completed at the earliest practicable date following the authorization.

A. Travel of the employee. Expenses for travel of an officer or employee transferred from one station to another for permanent duty must be authorized in advance by the chief of the bureau concerned or by bureau officials whom the chief has designated.

B. Transportation of immediate family

1. Expenses for the transportation of the immediate family of an officer or employee must be authorized in advance by the chief of bureau concerned or by a designated subordinate official and such authorization must be included in the order directing the travel.
2. The term immediate family shall mean any of the following members of an employee's household: Spouse, children (including stepchildren and adopted children) unmarried and under twenty-one years of age or physically or mentally incapable of self-support regardless of age, or dependent parents of the employee, but not of the spouse. *

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Travel Expenses

3435. (cont. 1)

* 3. The transportation of the immediate family of an employee shall be subject to those provisions of the Standardized Government Travel Regulations which relate to transportation, including mileage, and shall be in accordance with the act of February 14, 1931 (5 U. S. C. 73 (a)), whether the travel originates at the employee's last official station or at some previous place of residence and whether the point of destination is the new official station or some other point selected by him, or both. The cost to the Government shall not exceed the cost of transportation by the most economical route between the last official station and the new official station.

C. Household Goods and Personal Effects. Expenses for the transportation of the household goods and personal effects of an employee must be authorized in advance, in the order directing the travel, by the chief of the bureau concerned or by bureau officials whom the chief has designated. For the purpose of this regulation, such household goods and personal effects shall not include wines, liquors, animals, or birds not necessary in the performance of official duties, or automobiles.

1. Transportation of Household Goods and Personal Effects Between Points Within the Continental United States

Weight. Commuted reimbursement in lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects when properly authorized, shall be made to the employee on the basis of the schedule of allowable rates for the transportation of household effects not to exceed the net weight of seven thousand pounds for employees with an immediate family as defined under paragraph B 2 of this regulation and twenty-five hundred pounds for employees without such immediate family. For the purpose of determining the rates and computing the amounts to be allowed, it is required that the net weight of the household goods and personal effects, uncrated, shall be used and such weight shall include the weight of containers and packing materials which are required to protect articles of fragile or breakable nature. The net weight of household goods and personal effects which are packed and crated for shipment shall be computed on the basis of eighty percent of the gross shipping weight. The employee being transferred is responsible for seeing that the weight of shipment appears on the original bill of lading or other document used to support claim for reimbursement.

In instances where no adequate scale is located at origin or at any point within a radius of 10 miles thereof, a constructive weight, based on seven pounds per cubic foot of properly loaded van space shall be used.

Means of Shipment. Subject to the limitations set forth in this regulation, the employee shall arrange for the means of shipment of his household goods and personal effects and shall be responsible to the carriers and vendors for all charges incident thereto. Government *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel Expenses

3435. (cont. 2) * bills of lading shall not be used to cover shipments of household goods and personal effects between points within the continental United States.

Shipments From Points Other Than Official Station. Reimbursement on a commuted basis not to exceed the limitations of this regulation shall be allowable whether the shipment originates at the employee's last official station or from some previous place of residence, or partially from both, and whether the point of destination is the new official station or some other point selected by him, or both; Provided, that the cost to the Government shall not exceed the cost on a commuted basis in one lot by the most economical route from the last official station to the new. Reimbursement shall not be allowed for the transportation of property acquired en route from the last official station to the new. For the purpose of this regulation, the term "official station" shall be construed to include any point from which the employee commutes daily to his official post of duty.

Reimbursement. Claim for reimbursement of expense incurred by the employee due to transfer of official station for permanent duty shall be submitted on the regular authorized form of travel expense voucher. The claim shall be computed on the basis of schedule of allowable rates in effect at the time actual transfer of household effects began, and limitations set forth in this regulation. The application of the schedule will require a determination of the short-line highway distance between the points which may be authorized under these regulations, and in accordance with the provisions of the Household Goods Carrier's Bureau Mileage Guide No. 4, Motor Freight-Interstate Commerce Commission No. 27, or successive reissues thereof. If the rate is not shown on the schedule for the actual distance stated in such mileage guide, the rate shown for the next greater distance shall apply. The claim should be supported by (1) executed carrier's original bill of lading or certified copy thereof; or (2) where no bill of lading is required, other evidence showing point of origin, destination and weight shall be required; and (3) a written statement by the claimant that the net weight on which reimbursement is claimed does not include articles which are not allowable under this regulation.

Transportation Tax. Three percent Federal Transportation Tax applicable on shipments of household effects has been included in the schedule of commuted rates prescribed for reimbursement in lieu of actual expenses and no exemption may be claimed therefor.

2. Transportation of Household Goods and Personal Effects Involving Points Outside the Continental United States

Weight. Transportation will be allowed at Government expense for property when packed, crated, boxed, or placed in lift vans for shipment, within the following maximum weights:

Employees having immediate families:

	<u>Pounds</u>
Shipment involving transportation by vessel over all or part of the route or shipment by rail or motor carriers requiring packing or crating	8,750
Shipment by motor carriers, uncrated	7,000 *

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Travel Expenses

3435. (cont. 3)

* Employees without immediate family:

	<u>Pounds</u>
Shipment involving transportation by vessel over all or part of the route or shipment by rail or motor carriers requiring packing or crating	3,125
Shipment by motor carriers, uncrated	2,500

Volume. Where charges are computed solely on the basis of cubic measurement, the weight equivalent of the shipment shall be paid. The amount chargeable to the Government shall be subject to the above maximum limitations and any excess collected from the employee.

Allowances for packing, crating, unpacking, and uncrating. The actual costs of packing, crating, unpacking, and uncrating shall be allowed: Provided, that no charges shall be allowed for the packing, crating, unpacking, and uncrating of property in excess of the weight allowable under this regulation.

Allowances for Drayage. The actual costs of drayage, on weight not to exceed the limitations, to and from the common carrier shall be allowed: Provided, that in no case shall costs of drayage be allowed where door-to-door common carrier rates are applicable.

Allowances for Temporary Storage. Temporary storage, not to exceed 60 days, shall be allowed on actual cost basis, on weight not in excess of the authorized limitation.

Means of Shipment. For the duration of the present war and six months thereafter, transportation services, including allowances specified herein, may be procured by the agency concerned from any available common carrier; Provided, however, that the employee may have his effects moved by some means other than that selected by the Government by paying the difference between the charges under the means selected by the Government and the charges by the preferred means.

Use of Government Bill of Lading or Purchase Order. Shipment shall be made on Government bill of lading or purchase order whenever possible; otherwise, reimbursement shall be made to the employee for transportation expenses actually and necessarily incurred within the limitations prescribed by these regulations. If property in excess of the amount allowable under these regulations is shipped on a Government bill of lading or purchase order with the authorized allowance, the employee shall immediately upon completion of the shipment pay to the proper officer of the department an amount equal to the charge for the transportation of such excess.

Computation of Excess Costs. Excess costs payable by the employee shall be computed from the total charges according to the ratio of excess weight to the total weight of the shipment. Applicable transportation tax on the excess cost is payable by the employee.*

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel Expenses

3435. (cont. 4)

* Use of Lift Vans. Charges allowable hereunder for packing and crating and for transportation shall include expenses incurred in hiring, transporting, and packing lift vans when shipments are made in whole or in part by water but shall not include charges in connection with any shipment of empty lift vans or for payment of storage charges or import duties on lift vans.

Valuation. The valuation of property as declared for shipping purposes shall not exceed that at which the lowest freight rates will apply. Should the employee desire a higher valuation, he must assume all costs of transportation in excess of the charges at the lowest rate.

Shipment from Points Other Than Official Station. The expenses of transportation authorized hereunder shall be allowable whether the shipment originates from the employee's last official station or from some previous place of residence, or partially from both and whether point of destination is the new official station or some other point selected by him or both; Provided, that the cost to the Government shall not exceed the cost of shipment in one lot by the most economical route from the last official station to the new. No expenses shall be allowable for the transportation of property acquired en route from the last official station to the new.

Shipment by American Vessels. All shipments of property by water shall be made on ships registered under the laws of the United States where such ships are available.

Preparation of Vouchers. In preparing vouchers for payments under this subsection, the following conditions shall be observed:

- (a) Statement of weight. When charges for transportation are based upon weight, the actual (not estimated) weight shall be shown.
- (b) Itemization of charges. Where services rendered cover, in addition to transportation, such other services as packing, crating, drayage, unpacking, uncrating and temporary storage, the total charge for the services shall be itemized so as to show the charge for each service.
- (c) Payment by more than one voucher. Where all the services rendered in connection with moving the household effects of an employee are not covered by a single voucher, vouchers covering payment for subsequent charges shall bear a reference to prior vouchers.*

Revised 2-11-47 (Amendment 232)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel Expenses

3438. Airplane Travel * (Canceled.) *

3439. Extra-Fare Trains

1. Approval Required for Extra-Fare Train Travel

a. Where no excess cost is involved. * No special authorization or approval is required when the cost of travel by extra-fare trains to the Government, taking into consideration salary and subsistence savings, is not in excess of the cost of travel by regular-fare trains.

b. Where excess cost is involved.

(1) In accordance with the Standardized Government Travel Regulations the Director of Finance has been designated to specifically approve travel by extra-fare train in each case where the cost exceeds that of travel by regular-fare train, unless the travel is necessitated by an emergency involving the loss of life or property. * The Director of Finance will approve extra-fare train travel where excess cost is involved only if it is established that (a) the necessary purposes of official travel cannot be accomplished by regular-fare train or (b) travel by extra-fare train is absolutely necessary in the public interest.

Advance approval for extra-fare train travel at excess cost to the Government should be obtained if time permits. When it is impossible to obtain approval in advance, the traveler or the person directing the travel by extra-fare train will be held accountable for the amount of the excess cost if the need for such travel is not satisfactorily established.

When the approval of the Director of Finance is required for extra-fare train travel, a memorandum of justification must be submitted by the traveler or on his behalf. Such justifications must be approved by bureau chiefs or by officials designated by them, and forwarded in triplicate to the Director of Finance who will act upon the justifications and return them in duplicate to the bureaus.

(2) Travel by extra-fare train necessitated by emergencies involving the loss of life or property, when the cost exceeds that of travel by regular-fare train, must be approved by chiefs of bureaus, business managers of bureaus, heads of regional offices, or such other ranking officials as bureau chiefs may designate. In such cases, no justification needs to be submitted for the approval of the Director of Finance.

2. Determining Comparative Costs

a. General. An official specifically authorizing travel by extra-fare train or a traveler contemplating the use of extra-fare trains without specific approval should determine in advance whether additional cost to the Government will result. In making such determination, per diem and salary savings shall be calculated in accordance with subparagraphs b and c below and the comparison of costs shall be made as outlined in subparagraph d below.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel Expenses

3439. (cont. 1)

b. Per diem savings. Per diem savings are determined by deducting the amount of per diem incurred by extra-fare train travel from the amount that would be payable if the trip were taken by regular-fare train. The per diem rate named in the travel order should be used.

c. Salary savings. Salary savings are computed on the basis of daily salary for regular hours of duty during which the traveler is enabled to be at his official station, through the use of extra-fare trains, and during which he would have been away had he traveled by regular-fare trains. Salary savings are exclusive of all days or parts of days which are not official periods of duty at the employee's station. Salary savings for fractional parts of a day are computed on the basis of the number of hours saved in proportion to the number of regular working hours in a day, but not less than two hours saving on any one day may be claimed. Time gained away from official station may not be counted in computing salary savings.

d. Comparison of costs. To determine whether excess cost will result from extra-fare train travel, the fare charged for extra-fare train minus per diem savings and minus salary savings should be compared with the fare charged for regular-fare train.

3. Submission of voucher. Reimbursement vouchers covering travel by extra-fare train will be submitted for payment in the usual manner, with either a showing that there was no excess cost to the Government or with a properly approved justification of the excess cost incurred.

Revised 10-24-46 (Amendment 231)

TRAVEL BY SPECIAL CONVEYANCE

3441. General Provisions.-- The hire of special conveyances will be allowed only when no public or regular means of transportation are available or when such regular means of transportation can not be used advantageously in the interest of the Department, in which case a satisfactory explanation must accompany the account.

No rental agreement for the use of an automobile may exceed the maximum limitation placed by law upon the amount which may be expended in any one year for the maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel and lubricants. Proposals and/or rental agreements including in the consideration payment for furnishing any of the authorized excepted services should specify the amounts allotted to such services.

Charges for the hire of a conveyance of another Government employee, of a member of the traveler's family, or of a member of the family of another Government employee, will not be allowed in the absence of a satisfactory showing that the conveyance was not so procured because of such personal or official relationship; that it was impracticable to otherwise procure, that the member of the family so furnishing was not dependent upon the traveler for support; and the arrangement was approved in advance by the chief of bureau. The material facts and evidence of the approval of chief of bureau should be reported in the account.

3442. Actual Expense Basis for Use of Own Conveyance.-- When an officer or employee travels on official business away from his designated post of duty or official station he may be authorized to use his own conveyance on an actual-expense basis, provided:

(a) that the aggregate of allowable expenses, plus increased subsistence expenses, if any,

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and development. It begins with the first settlers who came to the New World in search of a better life. They found a land of opportunity, but also a land of challenges. The early years were marked by struggle and hardship, but the spirit of the pioneers was unyielding. They built a nation from scratch, one that was based on the principles of liberty and justice for all. The American Revolution was a turning point in the nation's history. It was a time when the people rose up against tyranny and established a new form of government. The Constitution was born, and the United States became a true democracy. The years following the Revolution were a time of rapid growth and expansion. The nation's borders expanded westward, and new states were added to the Union. The economy flourished, and the people enjoyed a period of peace and prosperity. However, the nation was not without its problems. Slavery was a major issue that divided the country. The Civil War was fought, and the nation was torn apart. But in the end, the Union was preserved, and the principles of the Constitution were reaffirmed. The United States emerged from the war a stronger and more united nation. The years following the Civil War were a time of reconstruction and progress. The nation's infrastructure was rebuilt, and the economy continued to grow. The people enjoyed a period of peace and prosperity. The United States became a world power, and its influence was felt around the globe. The history of the United States is a story of a nation that has overcome many challenges and emerged as a great power. It is a story of a nation that has stood for the principles of liberty and justice for all. The United States is a land of opportunity, and it is a land where the American dream is still alive.

Travel By Special Conveyance

through increased travel time, or less subsistence savings, if any, through reduced travel time, as the case may be, does not exceed the cost of transportation available by common carrier, and

(b) such mode of travel has been previously authorized by the Secretary or by an official to whom such authority has been properly delegated.

For such travel on an actual-expense basis the officer or employee will be entitled to reimbursement of the cost of gasoline, oil, and feed of horses, and in addition thereto garage or hangar rent and stabling of horses, while officially detained en route, and bridge, ferry, and other tolls. For the purpose of determining the amount of increased subsistence expenses or subsistence savings for a given period of time, the per diem rate of subsistence named in the travel order will be used.

Charges for repairs, depreciation, replacements, grease, alcohol, flushing crank cases, towage, and like speculative expenses will not be allowed. Charges for lubrication of a privately owned automobile when used for official travel by the owner thereof, however, may be reimbursed when identified with and actually incurred as an incident to the particular travel. Reimbursement may be made for alcohol purchased only when the automobile is used exclusively on official travel. Reimbursement of such speculative charges may not be allowed when the automobile is used at the official station of the employee or is available otherwise for personal use in addition to the official business trips.

Where an employee uses his own automobile on authorized travel and is accompanied by another employee also entitled to transportation at Government expense, reimbursement of the entire necessary cost of gasoline and oil consumed on the

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Travel by Special Conveyance

3442 (cont.2) journey may be made to the owner of the automobile if not in excess of what it would have cost the Government to have furnished transportation for both employees by a common carrier over the shortest usually traveled route.

To facilitate travel, the traveler should pay the Federal tax on gasoline and oil and claim reimbursement for the full price of the gasoline and/or oil, including the tax.

Exemption from payment of the State tax on gasoline in States providing such exemption must invariably be claimed. The standard Federal forms should be used for that purpose. When exemption is refused, receipts must be obtained in duplicate.

3443. Mileage Basis for Use of Own Conveyance. * Canceled. *

Revised 10-21-46 (Amendment 230)

THE HISTORY OF THE
CITY OF BOSTON

FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME
BY
JOSEPH NEALE, ESQ.
OF THE BARR

IN TWO VOLUMES.
VOL. I.

LONDON:
PRINTED BY J. JOHNSON, ST. PAUL'S CHURCH-YARD, 1773.

TRANSPORTATION OF FAMILIES

3461. Transportation of Officers' Families Traveling Abroad.- The expenses of transportation and subsistence of officers of the foreign agricultural service and their immediate families in going to and returning from their posts under orders, whether on initial assignment, transfer, or recall, or on leave after three years or more of continuous service abroad, may be paid when traveling under orders from the Secretary of Agriculture. (600) (See also Paragraph 3416.)

STATE OF NEW YORK

IN SENATE,
January 1, 1880.
REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE,
IN ANSWER TO A RESOLUTION
PASSED BY THE SENATE,
MAY 1, 1879.
ALBANY:
J. B. LEECH, STATE PRINTER,
1880.

FREIGHT AND EXPRESS

3471. Freight. The standard Government bill of lading form prescribed by the Comptroller General should be used for all freight and express shipments chargeable to Department funds. Forms filled in at least as to appropriation from which charges should be payable, office to whom charges should be billed, consignee and destination, and issuing officer's certificate should be supplied contractors or vendors called upon to ship material at Department expense.

If a freight shipment, which has moved on commercial bill of lading, is received and transportation charges are payable by the Department a Government bill of lading form will be made out in skeleton, showing point of origin, destination, purchase order and appropriation from which freight charge is payable, and noting in the space provided for description of shipment the following: "Converted commercial bill of lading, original commercial bill of lading attached." The original commercial bill of lading will be attached thereto and consignee's certificate of delivery will be accomplished in the usual manner. The original converted bill of lading with commercial bill of lading attached will be surrendered to delivering agent.

When a Government bill of lading has been issued for a shipment, but has not been received by the consignee, a certificate in lieu of lost bill of lading should be executed and surrendered to the delivering agent in the same manner as an original bill of lading.

3472. Express.— Express should not be used unless as cheap and more convenient than mail, where mail is practicable, nor substituted for freight unless the slower movement would sacrifice some real advantage, or unless the express rate is

CHAPTER THE SECOND

THE first chapter of the second volume of the "History of the United States" is devoted to the period from the death of George Washington to the death of Thomas Jefferson. It is a period of great importance in the history of the United States, and it is in this chapter that the author discusses the various events and circumstances which led to the establishment of the new government.

In the first chapter of the second volume, the author discusses the period from the death of George Washington to the death of Thomas Jefferson. It is a period of great importance in the history of the United States, and it is in this chapter that the author discusses the various events and circumstances which led to the establishment of the new government. The author discusses the various events and circumstances which led to the establishment of the new government, and he discusses the various events and circumstances which led to the establishment of the new government.

The second chapter of the second volume of the "History of the United States" is devoted to the period from the death of Thomas Jefferson to the death of Andrew Jackson. It is a period of great importance in the history of the United States, and it is in this chapter that the author discusses the various events and circumstances which led to the establishment of the new government.

The third chapter of the second volume of the "History of the United States" is devoted to the period from the death of Andrew Jackson to the death of Martin Van Buren. It is a period of great importance in the history of the United States, and it is in this chapter that the author discusses the various events and circumstances which led to the establishment of the new government.

Freight and Express

less than the minimum freight charge for packages. If consignor has failed to use Government bill of lading, consignee should on receipt of the shipment fill out a Government bill of lading form, original and memorandum, as completely as possible as to shipper, shipping point, consignee, destination, description and weight of consignment, and loss, damage, or shrinkage, if any; attach to the original the express receipt, commercial bill of lading or other evidence of the shipment; execute the certificate of delivery but not consignor's certificate; and deliver original to express agent.

Charges for express services are subject to land-grant deductions the same as if the service were performed by the participating railroads subject to land-grant laws.

In the case of express shipments the value of all shipments must be inserted on the bill of lading and marked on the package or packages by shipping officers. In order that full advantage may be taken by the Government of the opportunities for economies, the lowest or "released" valuation should be specified in every case where the shipments are made up of non-fragile and/or inexpensive items such as clothing, records, merchandise, etc., on which protection against damage or loss is clearly a matter of insurance. Only in shipments containing fragile and/or costly items such as money, precious metals, delicate scientific instruments, x-ray tubes, radium, etc., requiring the highest degree of care in handling by the carrier, and where the carrier renders actual service in protecting the shipments against damage or loss, is it permissible to declare actual or increased values and pay a consideration for such special service. Savings of considerable magnitude may be effected by closely adhering to the long and well established policy of the Government, in assuming its own risks in the same manner as is common among private interests having extensive holdings of consumable property.

Freight and Express

3473. Shipments Requiring Customhouse Clearance.— Shipments requiring customhouse clearance should be consigned, if trans-Atlantic, to the United States Dispatch Agent, No. 45 Broadway, New York City; if trans-pacific, to Department of Interior, Seattle, Washington, and United States Dispatch Agent, Ferry Post Office Building, San Francisco, California. Written advice should be sent consignee early enough to be received not later than the shipment, requesting him to clear importation through customhouse and instructing as to its disposition. Ordinarily these instructions should direct the forwarding of the goods in bond to the customhouse at or nearest ultimate destination. No charge should be incurred for customhouse brokerage fees; and any consignment of imported goods to an express or forwarding company, if necessary in particular cases, should be made under a prior arrangement with the consignee to secure customs clearance without expense to the Department.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

EXPENSE ACCOUNTS

3481. Expense Accounts. *The Office of Budget and Finance has the responsibility of preparing a general guide to illustrate acceptable ways of presenting expense accounts to the end that uniformity, as far as practicable, may be obtained and that payment may be made promptly. All persons authorized to travel on business for the Government should keep a memorandum of expenditures properly chargeable to the Government, noting each item at the time the expense is incurred, together with the date, so that the necessary information will be available for the proper preparation of expense accounts. Employees traveling on official business are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.*

Expense accounts must be submitted in accordance with the provisions of Standardized Government Travel Regulations, as amended. Any person rendering an expense account containing reimbursement items must certify that the account is just and true in all respects. Falsification of an item in an expense account works a forfeiture of the entire claim. (The penalty as prescribed by law for presenting a false claim is a fine of not more than \$10,000, or imprisonment for not more than 10 years, or both.) (1231)

(Regulations 3482 and 3483 are cancelled.)

RECORD OF THE PROCEEDINGS OF THE

ANNUAL MEETING

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3491. Death of Employees in Travel Status or on Foreign Assignment.

1. General Provisions. The following definitions and provisions are to be used in the application of this Regulation which covers the payment of expenses of preparing and transporting the remains of employees who die while traveling on official duty; and the payment of expenses of preparing the remains and transporting the remains, effects, and dependents of employees who die during assignment to a post outside the continental limits of the United States, or while in transit to or from such post.

a. Definition of Terms.

(1) "Employee" means an officer or employee of the Department.

(2) "Home" means a fixed or permanent dwelling place synonymous with place of fixed abode as distinguished from a mere temporary residence.

(3) "Dependents" includes a lawful widow; children; stepchildren and adopted children, if unmarried, under twenty-one years of age, and in fact dependent upon the decedent for support, or if physically or mentally incapable of self-support regardless of age; and dependent parents who were a part of the decedent's household.

(4) "Continental United States" means the 48 states and the District of Columbia.

b. Notification of Relatives. When the chief of the bureau or office is informed of the death of an employee while in any status subject to the provisions of this Regulation, he shall notify immediately the next of kin or legal representative of the decedent and render every reasonable assistance in arranging for preparation and transportation of the body. He shall also inform the next of kin or legal representative of the provisions of this Regulation.

c. Method of Payment of Expenses. The chief of the bureau or office concerned may (with the approval of the Secretary as provided herein) authorize payment of the expenses allowable under this Regulation either directly to the persons performing the prescribed services or by reimbursement to any person who has made original payment of such expenses.

d. Death During Period of Absence from Duty. When an employee dies while temporarily absent from duty during a period of travel on official business or during the period of his assignment to a post outside the continental limits of the United States, the provisions of this Regulation shall apply, except that the amount allowed for the transportation of the remains to the place of interment shall not exceed the amount which would have been allowable had death occurred at the point from which the decedent departed on such temporary absence.

e. Escort for Remains. Transportation expenses of an escort for the remains shall not be allowed. However, this shall not be construed to prohibit the use by an escort of one of the two tickets

WASHINGTON

November 15, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 109

There appears on the reverse side of this and subsequent sheets an addition to the Regulations of the Department, designated "3491. Death of Employees in Travel Status or on Foreign Assignment."

The purpose of this new addition is to incorporate the provisions of Executive Order No. 8557, "Prescribing Regulations Governing the Payment of Expenses Incurred in Connection with the Death of Certain Civilian Officers and Employees of the United States," issued pursuant to the Act of July 8, 1940, Public No. 729, 76th Congress, in the Regulations of the Department. Primarily this Regulation authorizes and prescribes the methods of payment by the Department of expenses incurred relative to the transportation of the remains, effects and dependents of employees who die while traveling on official business or during a period of assignment to a post outside the United States.

The provisions of this Regulation are promulgated effective September 6, 1940.

The following additions should be made in the Table of Contents and in the Index:

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Paul H. Appleby

Acting Secretary.

Deceased Employees

required to ship the remains as baggage by railroad.

f. Use of Government Bill of Lading. If the shipment of remains is made by express, a Government bill of lading shall be used whenever possible.

g. Use of Standard Form No. 1034. Standard Form No. 1034 Revised shall be used for the payment of expenses other than shipment by express whenever possible. When such vouchers are used to cover the payment of expenses in connection with employees or officers who have died while outside the continental limits of the United States they should be sent to the Director of Finance for transmittal to the Secretary.

h. Funds Available. Payment of expenses incurred under these Regulations shall be made from the appropriation available for the activity in which the employee was engaged.

i. Eligibility. No payments of expenses which are provided for elsewhere in the Department Regulations or in the laws of the United States shall be made under this Regulation. (Certain expenses arising in the event death has resulted from injuries sustained while in the performance of official duty are excluded--See Regulations 1555 and 3124.) Nothing herein contained, however, shall deprive any person of any payment here authorized because of the fact that the deceased employee was eligible for burial benefits on account of service rendered in the armed forces of the United States.

2. Preparation and Transportation of Remains of Employees Within the United States. When an employee dies while traveling on official business within the continental limits of the United States, the chief of the bureau or office concerned is delegated the authority to pay the expenses of preparing the remains of the decedent and of transporting the remains to the home or official station of the decedent or to such other place as the chief of the bureau or office may designate as the appropriate place of interment, provided that in no case shall the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant.

a. Preperation of Remains. The costs of preparing the remains, allowable under this Regulation, shall include costs of embalming, cremation, necessary clothing, and casket. The total amount of such preparation shall not exceed \$100.

b. Transportation of Remains. The costs of transporting the remains allowable under this provision, shall include the costs of removal of the remains from the place where death occurred to an undertaking establishment, procurement of burial and shipping permits, furnishing an outside case for shipment (including, when necessary, the sealing of such shipping case), removal to a common carrier, transporting the body by common carrier, and one removal at the place of interment from the common carrier to an undertaking establishment or other place of immediate delivery. Instead of conveyance by common carrier, removal of the remains overland by hearse (including ferry charges, bridge tolls, and similar items) may be allowed, provided that the total charges for transportation shall not exceed the total costs of transportation had conveyance been made by common carrier. If conveyance is by hearse, no allowance shall be made for an outside shipping case.

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Deceased Employees

3. Preparation and Transportation of Remains of Employees While on Official Business or Assignment Outside the Continental United States. When an employee dies while traveling on official business outside the continental limits of the United States or while on assignment to a post outside the United States, the chief of the bureau or office concerned with the approval of the Secretary, shall pay the expenses of preparing the remains of the decedent and of transporting the remains to the home or official station of the decedent or to such other place as the chief of the bureau or office may designate as the appropriate place of interment, provided that in no case shall the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant.

a. Preparation of Remains. The costs of preparing the remains, allowable under this provision, shall include all the ordinary costs of embalming, cremation, necessary clothing, and a casket or container suitable for shipment to the place of interment. There shall also be allowed any expenses necessarily incurred in complying with local laws and laws at the port of entry in the United States relative to the preparation of dead bodies for transportation and burial. The chief of the bureau or office concerned shall be accountable for the reasonableness of the costs allowed under the provisions of this paragraph.

b. Transportation of Remains. The costs of transporting the remains, allowable under this Regulation, shall include the charges for removal of the decedent's remains from the place where death occurred to an undertaking establishment, from the undertaking establishment to a common carrier, and thence by common carrier to the place of interment, and one removal at the place of interment from the common carrier. The remains may be transported by means other than by common carrier, provided that when conveyance by common carrier is available there shall be allowed toward the expense of such other transportation an amount not in excess of the sum allowable had the remains been transported by common carrier.

4. Transportation of Dependents, Personal Property, and Household Effects of Employees Dying while on Assignment Outside the United States. When an employee dies during a period of assignment to a post outside the continental limits of the United States or while in transit to or from such post, the chief of the bureau or office concerned, with the approval of the Secretary, shall pay the costs of transporting the dependents of the decedent and the household effects and other personal property of the decedent and his dependents to his former home or to such other place in the United States not more distant than the former home as the chief of the bureau may designate.

a. Transportation of Dependents. The costs of transporting dependents, allowable under this provision, shall include the actual costs of transporting such of the dependents of the decedent as are outside the continental limits of the United States to a designated destination, provided that the costs shall not exceed the costs of transportation by the most direct route from the official station of the deceased employee to said destination, and provided that travel is undertaken during the period of one year from the date of death of the decedent. Such transportation shall be subject to the provisions of the Standardized Government Travel Regulations and to the Department Regulations and rules then in effect.

b. Transportation of Personal Effects. The costs of transporting personal property other than household effects, allowable under this provision, shall include the expenses actually and necessarily incurred in transporting said personal effects as baggage, subject to the provisions of the Standardized Government Travel Regulations and the Department Regulations and rules governing the payment of charges for the transportation of baggage generally. Expenses in connection with the transportation of baggage by private conveyance which would not have been incurred had the baggage been transported by common carrier shall not be allowed. Reimbursement for loss or damage to baggage during transit shall not be allowed, nor shall charges for marine and other insurance be allowed.

c. Transportation of Household Effects. The costs of transportation of household effects allowable under this Regulation shall include costs of packing, crating, drayage, and transportation subject to the following restrictions governing payment of such costs.

(1) Items allowable as household effects. Household effects shall be deemed to include such furniture and furnishings as are usual and necessary for the maintenance of a household establishment and as are of sufficient intrinsic value reasonably to justify their transportation, but for the purpose of this Regulation shall not include groceries, provisions, wines, liquors, animals, or birds.

(2) Shipment usually to be by freight by most economical route. Shipment of household effects shall be made by ordinary freight service by the most economical route unless otherwise specifically authorized by the chief of the bureau concerned. In the absence of such authorization, the expense of shipping household effects by a method other than that indicated above shall be allowed in an amount not to exceed the cost of shipping such effects by freight by the most economical route.

(3) Maximum allowances of weight and volume allowable. Except as hereinafter provided, the maximum number of pounds of household effects when packed and crated, or boxed, or packed in lift vans for shipment by freight, for which payment shall be allowed, shall be as follows:

<u>CLASS OF PERSONNEL</u>	<u>When family is at post</u>	<u>When family is not at post</u>
Employees in grade CAF-15 or above or receiving a salary payable in such grade or above - - - - -	24,000	19,000
Employees in grade CAF-12, CAF-13, or CAF-14, or receiving a salary payable in such grades - - - - -	20,000	15,500
Employees in grade CAF-9, CAF-10, or CAF-11, or receiving a salary payable in such grades - - - - -	16,500	12,000
Employees in grade CAF-6, CAF-7, or CAF-8, or receiving a salary payable in such grades - - - - -	13,000	8,500
Employees in grade CAF-5 or below or receiving a salary payable in such grade or below - - - - -	11,400	6,720

Deceased Employees

When shipment of effects for any portion of the journey is covered by a bill of lading stating that charges are computed only on a measurement basis instead of a weight basis, the maximum number of measurement tons (measuring 40 cubic feet each) for which payment shall be allowed, shall be as follows:

<u>CLASS OF PERSONNEL</u>	<u>When family is at post</u>	<u>When family is not at post</u>
Employees in grade CAF-15 or above or receiving a salary payable in such grade or above - - - - -	60	49
Employees in grade CAF-12, CAF-13, or CAF-14, or receiving a salary payable in such grades - - - - -	52	40
Employees in grade CAF-9, CAF-10, or CAF-11, or receiving a salary payable in such grades - - - - -	43	33
Employees in grade CAF-6, CAF-7, or CAF-8, or receiving a salary payable in such grades - - - - -	34	26
Employees in grade CAF-5 or below or receiving a salary payable in such grade or below - - - - -	31	24

When shipments involve weight consideration over one portion of the distance and measurement over another portion, payment shall be allowed for charges for the entire distance regardless of measurements if the weight does not exceed the weight limitations previously indicated. Payment of actual charges shall also be allowed for the entire distance regardless of weight, provided the measurements do not exceed those previously indicated.

When shipments involve weight and measurement considerations over different portions of the distance, and measurement and weight are both in excess of the limitations herein prescribed, payment shall not be allowed for weight excess where weight considerations are involved or for measurement excess where measurement considerations are involved. Allowances for packing shall be computed on the basis (weight or measurement) used in computing shipment charges at the initial stage of transit.

Within the continental limits of the United States, where the transportation of maximum allowances prescribed above at less than carload rates would cost as much as, or more than, a minimum carload, transportation of a minimum carload may be allowed regardless of the volume or weight of the shipment.

(4) Shipment to be made on American ships. If household effects must be transported by vessel, shipment shall be made on American ships unless otherwise specifically authorized by the chief of the bureau or office concerned in accordance with Regulation 3416.

(5) Other costs allowable in connection with transportation of household effects. Payment shall also be made of expenses incurred in hiring and transporting lift vans, and in packing and crating, or boxing, or packing in lift vans for shipment. Allowance shall not be made for charges in connection with any shipment of

Deceased Employees

empty lift vans, or for payment of storage charges or import duties on lift vans.

(6) Time limit on shipment of effects. Shipment of effects shall be made within one year of the death of the officer or employee, unless an extension is granted by the chief of the bureau or office concerned, with the approval of the Secretary, prior to the expiration of that time. (Public No. 729, 76th Congress and Executive Order No. 8557.)

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.

TO THE SECRETARY OF THE ARMY
FROM THE SECRETARY OF THE ARMY
SUBJECT: [Illegible]

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

PURCHASE OF PROPERTY

4111. Acquisition of Property by the Department. Subject to the provisions of law, these regulations, and the fiscal and administrative regulations of the Department, property may be acquired (1) by purchase upon requisition or contract, or, in the field, under letters of authorization; small emergency purchases of supplies and materials for use in Washington, D. C., may also be made under letters of authorization (see also Regulation 3333); (2) by manufacture within the Department; or (3) by purchase or transfer from another department or establishment of the Government. Each purchase or acquisition by manufacture within the Department shall be evidenced by a written requisition, contract, shop request, or memorandum approved by the chief of the bureau or an employee duly authorized by the chief of the bureau for which the article was purchased or manufactured. Transfers from another department or Government establishment shall be evidenced by copies of the transfer records approved by the Chief of the Division of Purchase, Sales, and Traffic. Immediately upon the delivery to a bureau of a non-expendable or semi-expendable article which has been acquired by purchase, manufacture, or transfer, the fact that the article has been received shall be reported to the property clerk who shall see that a record of the article is made without delay on the property records of the bureau. (1851)

4112. Requisition for Supplies and Equipment. In view of the facilities available in the Central Supply Section, care should be exercised to limit requisitions for bureaus and offices in Washington, D. C., to supplies and equipment for actual needs. Field requisitions on property clerks for supplies and equipment should be made quarterly, or semi-annually, as far as practicable. A copy of the requisition will be retained by the ordering officer for checking the articles when received from the property clerk.

4113. Purchase of Automotive Equipment. * (Canceled. The provisions of this regulation have been superseded by Budget and Finance Circular No. 546, issued under the authority delegated to the Director of Finance by Secretary's Memorandum No. 990 of March 7, 1942.) *

4114. Purchase of Published Materials. * (Canceled November 10, 1942, by Amendment No. 155.) *

4115. Purchase of Tree Seed, Cones, and Nursery Stock for National Forests. Regional Foresters may procure tree seeds, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, by open purchase, without advertisements for proposals, whenever in their discretion such method is most economical and in the public interest and when the cost thereof will not exceed \$500. (945)

4116. Procurement of Arms and Ammunition. Whenever arms, suitable accouterments for use therewith, and ammunition are required:

1. For the Protection of Public Money and Property

a. Funds available for field work in the Department may be used for their purchase, under authority of the Act of June 4, 1936, U. S. Code, Title 5, section 542b, without regard to Section 3709 of the Revised Statutes, or the Act of March 3, 1879, U. S. Code, Title 50, section 61, as amended by the Act of April 14, 1937, (Public No. 30, 75th Congress), whenever an individual purchase does not exceed \$50. (2048)

b. The Secretary of War shall be requested to furnish them, pursuant to the Act of March 3, 1879, as amended, whenever the amount required

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Purchase of Property

4116. (cont.) is in excess of \$50. The request should be in the form of a letter, prepared by the bureau concerned, addressed to the Secretary of War, for the signature of the Secretary of Agriculture, giving an itemization of the articles required, and an explanation of the use to be made of them, the name and official title of the person to whom delivery should be made, and his location.

c. Whenever arms, accouterments, and ammunition so requested are furnished by the War Department, under authority of the Act of March 3, 1879, as amended, charges for the cost (1) of replacing borrowed arms and accouterments which are lost, destroyed, or irreparable, (2) of repairing arms and accouterments returned to the War Department, and (3) of making and receiving shipments, shall be covered by a transfer of funds from the requisitioning bureau to the credit of the War Department funds.

d. Whenever arms, accouterments, and ammunition so requested cannot be furnished by the War Department, the purchase may be made in accordance with the rules governing purchases in general.

2. For Purposes Other Than the Protection of Public Money and Property

a. Funds available for field work in the Department may be used for the purchase of such articles, but, regardless of the quantity, if circumstances permit, they should be procured from the War Department, under authority of the Act of August 24, 1912, U. S. Code, Title 50, section 75.

b. Whenever circumstances will not permit of procurement from the War Department purchases may be made under authority of the Act of June 4, 1936. Individual purchases, which do not exceed \$50, may be made in the open market, without regard to Section 3709 of the Revised Statutes, and when in excess of \$50, in accordance with the rules governing purchases in general. (2049)

4117. Mechanical Shops.

1. Mechanical work desired by the various bureaus of the Department of Agriculture in Washington, such as carpenter, cabinet, pattern, machine shop, plumbing, pipe fitting, sheet metal, electrical, composition, fabric, and leather work, model making, painting, manufacture of rubber stamps, typewriter repairs, manufacture and repair of awnings, and mechanical supplies and equipment may be obtained from the Mechanical Shops under the supervision of the Public Buildings Administration, Federal Works Agency. Bureaus should procure such services, supplies, and equipment from the Mechanical Shops when such procurement will effect savings in expenditures. Requests should be prepared on the forms prescribed for that purpose. Where required, reimbursement will be made in the usual way by the bureaus for which such services or materials are furnished. (162)

2. The construction of office furniture or other equipment by the Mechanical Shops will not be permitted when standard articles available from commercial sources at less cost will serve the requirements.

3. Complaints and suggestions relating to the service of the Mechanical Shops should be made to the Chief, Office of Plant and Operations.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Exchange of Property

4121. Exchanges or Sales in Purchasing Equipment. Items of equipment may be exchanged or sold in purchasing similar items, * as authorized by statute, and the exchange allowances or proceeds of sales applied to the purchase in accordance with the following regulations: *

1. General

a. Items of equipment may be exchanged for, or sold in the purchase of, similar items only, * i.e., tractor for a tractor, boat for a boat, etc. * This restriction is based on the fact that trade-in allowances solicited from vendors not dealing in the type of equipment offered in exchange are unlikely to reflect the true value of the "exchange" items. * However, when parts are purchased, it is not necessary that identical parts be sold or exchanged; it is sufficient that the parts purchased be for use on the same class of equipment.

b. In the solicitation of bids for the purchase of equipment, while it is permissible to solicit either a cash or an exchange offer for any item the exchange of which is authorized by law, it shall be the policy of this Department to solicit both cash and exchange offers in all transactions covering these items unless (1) recent solicitation for identical items has produced only one type of offer under circumstances indicating the futility of further advertising for any other type of offer, or (2) solicitation of both types of offers for the equipment to be replaced would be plainly ineffective in reducing the cost of the purchase. When both cash and exchange offers are obtained, only the offer or combination of offers resulting in the lowest net cost of the equipment being purchased shall be accepted.

c. The rules governing the disposition of surplus property do not apply to items the exchange or sale of which, in purchasing similar items, is specifically authorized by law. When such property is sold for cash, the provisions of Regulation 4122 with respect to advertising shall apply. *

2. Exchange Allowances and Proceeds of Sales To Be Applied to Purchase. Exchange allowances for, * or proceeds of sales of, any article or item the exchange of which is authorized by law * shall be applied to the purchase. That is, when such equipment is exchanged, the appropriation shall be charged only the excess of the price of the equipment purchased over the trade-in allowance for the equipment exchanged; and when such equipment is sold in purchasing similar equipment, the proceeds of the sale shall be deposited in the Treasury to the credit of the * special fund receipt account, and shall be used in paying for the new equipment, in accordance with procedure prescribed by the General Accounting Office. * In making such deposits, the purchase transactions shall be identified on the Schedules of Collections (Standard Form 1044). (Public Law 600, 79th Congress; 5 U. S. C. 116d, 545, 546, 548, 549; 41 U. S. C. 26, 27.)

PERSONNEL HANDLING PROPERTY

4211. Responsibility for Property.- Every employee of the Department will be held responsible for the proper use and protection of any Government property which may come into his custody or control in any manner whatsoever.

The official in charge of the property of a station shall be responsible for all accountable property at field substations under his supervision. He shall obtain and keep on file in his office memorandum receipts for all accountable property issued to field substations either by himself or any other authorized official of the bureau, and when necessary, shall obtain annual returns of such property. (1652, 1653)

4212. Individual Accountability.- In each bureau an employee or employees (or a class of employees, such as heads of field stations) shall be designated by the chief of bureau to receive, receipt for, and take charge of all newly acquired property. Every employee so designated will be held strictly responsible therefor until relieved of such responsibility in accordance with these regulations.

Relief from responsibility for non-expendable or semi-expendable property may be given for the following causes:

- (1) Authorized transfer;
- (2) Consumption, loss, theft, damage or deterioration through use beyond profitable repair, destruction;
- (3) Payment to a disbursing officer of the Department of the value determined by the chief of bureau or an employee designated by the chief, in case of loss, damage, or destruction of property through employee's negligence;

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Personnel Handling Property

4212. (cont. 1)

(4) Sale or other disposition by a board of survey (see sections on sale of property in Washington and in the field);

(5) Abandonment. (1654, 1655)

4213. Action on Death of Official in Charge. Upon the death, resignation or the disappearance of an employee responsible for property the first assistant or other person designated by the chief of bureau to take charge shall prepare in duplicate an inventory of all semi-expendable and non-expendable property. One copy of the inventory shall be forwarded to the bureau for examination and appropriate action. The duplicate copy shall be retained at the station as a basis for future property returns.

4214. Purchase from Government Employees Prohibited. No supplies or property for the use of the Department shall be purchased from any of its employees without the approval of the chief of the division of purchase, sales, and traffic. The request for such approval must in each case be accompanied by a statement in writing from the officer certifying the voucher showing the necessity for the purchase and indicating specifically that the purchase from the employee will be more advantageous to the Government than a purchase from any other source.

4215. Purchase of Government Property by Employees. * Personal property offered for sale by the Department may be purchased by employees only when the sale of such property is based upon competitive bids, as required by Regulation 4422, provided that no purchase may be made, either directly or indirectly, by an employee who was formerly accountable for the property, who formerly used the property, or who was in any way connected with its condemnation, declaration as surplus, or sale, and provided further, that this regulation shall not apply in the case of surplus perishable products sold to employees in accordance with Regulation 4423. *

Revised 7-14-47 (Amendment 247)

Personnel Handling Property

4216. Personal Possession of Condemned Property.- No employees shall appropriate for his own use any article of Department property which has been ordered destroyed.

4217. Property Appropriated for Personal Use.- If any article of Department property is appropriated for his own use by an employee of the Department, the chief of bureau will immediately take steps to recover the property or its value from the employee. Any moneys which may be so recovered shall be promptly transmitted through the proper bureau officials to the chief disbursing officer of the Treasury Department for deposit in the Treasury to the credit of Miscellaneous Receipts in accordance with existing regulations. Pending such recovery, the chief of bureau should withhold any moneys due or which may become due to the employee involved, and should also report the circumstances of the case to the Secretary for proper disciplinary or other action. (1231)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

PROPERTY SUPERVISION

4221. Classification

1. All Department property shall be classified as either expendable or non-expendable in accordance with the following:

a. Expendable Property

(1) Articles and supplies destroyed or consumed with use or requiring frequent replacement, such as stationary, fuel, food, fertilizer, hand tools, brushes, glassware, flashlights, or belting.

(2) Articles normally considered non-expendable acquired for the express purpose of immediate incorporation in an article or equipment carried as non-expendable.

(3) Articles normally considered non-expendable acquired for testing or other purposes which would result in their destruction.

(4) Fixtures placed in buildings owned by the Federal Government.

(5) Animals acquired for food or slaughter, or for experimental purposes when the animals are the object of the experiment.

b. Non-Expendable Property

(1) Property of a permanent character, such as buildings and other structures, boats, motor vehicles, instruments of precision, or furniture.

(2) Articles of a personal nature, such as raincoats, boots, or pocket type fountain pens.

(3) Gold, platinum, and any other precious metals, and any articles made thereof.

(4) Badges, seals, and other devices indicating official approval or authority.

(5) Removable fixtures in a rented building, placed therein by the Government.

(6) Animals not acquired for food or slaughter, nor for experimental purposes when the animals are the object of the experiment.

2. Materials and parts, whether carried as expendable or non-expendable, may be considered as expended when incorporated in a structure or article, but the completed structure or article must be taken up in the records as non-expendable under a description adequate to show its salient features.

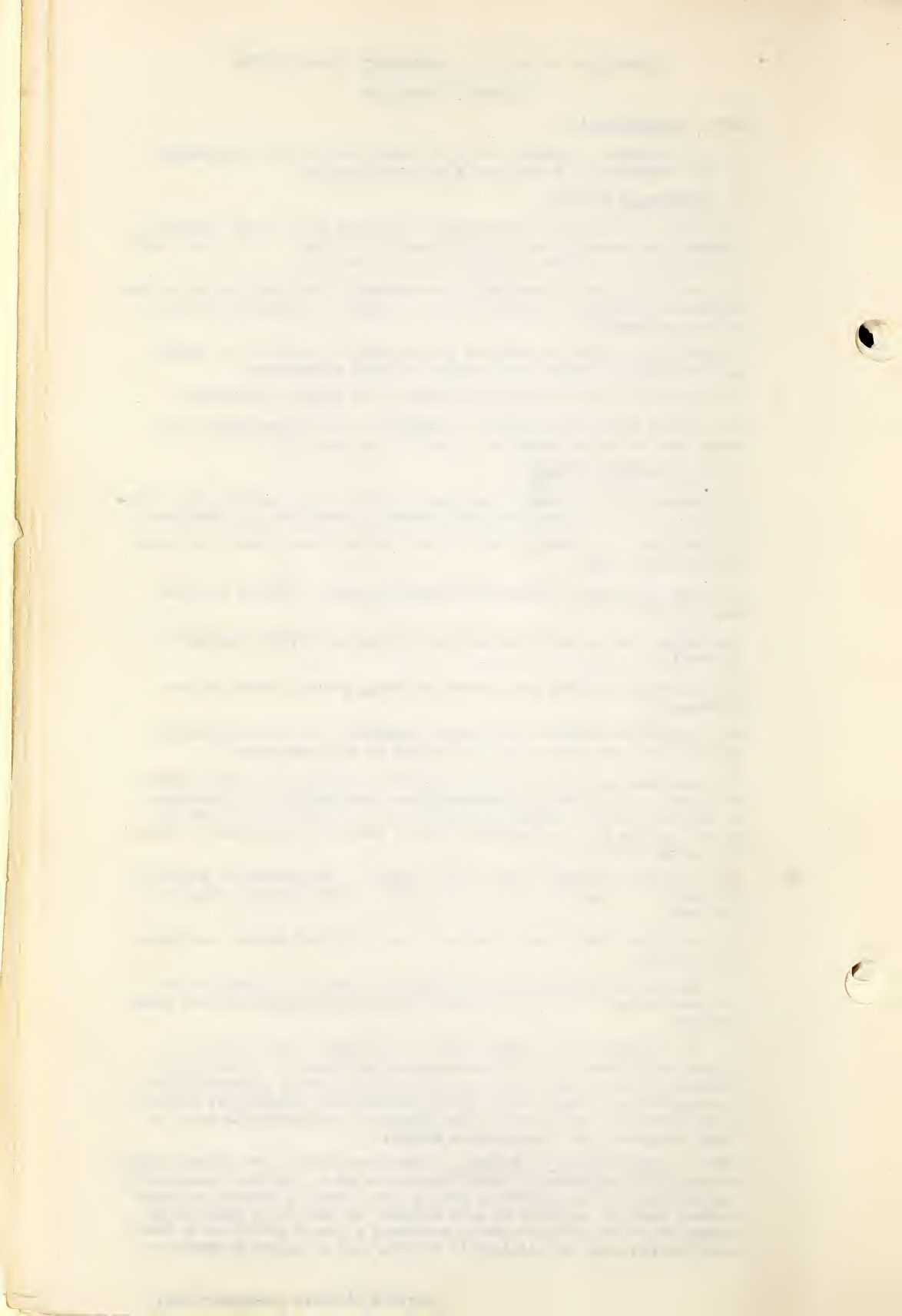
3. Materials and parts used in the repair or improvement of existing equipment or structures will be considered as expended when applied to the work.

4. For classification of books and other published matter, see Regulation 1911.

5. Articles manufactured by the Department shall be classified in the same manner as similar articles obtained from commercial and other sources.

6. To coordinate the classification of property, the Director of Finance will issue a list of non-expendable property. In conformity therewith, the bureau chiefs will then issue lists of expendable and non-expendable property under their jurisdiction, except that property of an expendable nature may be designated as non-expendable when, in their judgment, the circumstances warrant.

4222. Identification of Property. When practicable, *** property shall be marked for purposes of identification so as to indicate ownership by the Department. All apparatus and equipment bearing factory or trade numbers shall be recorded by such numbers, as well as by description * when the value of the property makes such a record desirable or when such numbers might be utilized in tracing lost or stolen property. *



REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Property Supervision

4223. Responsibility for Accounting for Instruments Used as Money.

1. The chief of each bureau shall be responsible for seeing that there are maintained such records, procedures, internal controls and audit programs as are necessary for properly safeguarding and accounting for postage stamps, car tokens, toll bridge tickets, scrip books, and other similar instruments or things belonging to the United States (see Regulation 1812), which may be used as money or in lieu of money, except that this regulation shall not apply to transportation requests, bills of lading, or tax exemption certificates.

2. The audit programs maintained shall provide for audits to be made at least annually (but much more frequently in most cases) by employees not immediately responsible for handling the instruments involved, and shall also provide a determination that such instruments have been properly accounted for and disposed of in accordance with existing law and the regulations of the Department. (See also Regulation 5172.)

4224. Exhibits.

1. Exhibit material may, in the discretion of the Director of Information, and upon compliance with such conditions as he may impose, be loaned for exhibition where it is believed such exhibition may be of benefit to the Department.

2. All property, either expendable or non-expendable, displayed at expositions, fairs, and similar exhibitions, shall be accounted for in accordance with these regulations, except that objects, mechanisms, or other materials that form parts of or are used in connection with exhibits prepared and displayed under direction of the Office of Information need not be carried on Department property records and need not be accounted for as property when worn out, or upon becoming obsolete or otherwise unserviceable. (See also Regulation 1511.)

4225. Misuse of Property.

* Except in emergencies threatening loss of life or property, no employee shall use or permit any other person to use Department property or equipment for any purpose other than performance of the work of the Department. * (See also Regulation 1851.)

4226. Storage.

Property issued to employees in charge of field parties for which there is no immediate need may be placed in storage when authority therefor is obtained in advance from the chief of the bureau. Storage fees may be paid in cash by the employee charged with the property and the receipt of the storage company submitted with his reimbursement account, or payment may be made to the storage company on the proper voucher. (See also Regulation 1851.)

4227. Use of Condemned Property.

Parts of machines and other articles which have become unserviceable, or for which the Department has no further use in their entireties, may in the discretion of boards of survey be retained for use in repair or construction work or for other departmental purposes. In such cases, the articles will be dropped from the property returns, and the parts shall be taken up as expendable property on the records of the bureau to which they are allotted by the board of survey.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

PROPERTY RECORDS AND REPORTS

4311. * Property Records. A record of accountable property will be maintained by each bureau having custody of property. Where bureaus have decentralized their property accountability records, an employee or employees shall be designated at each field station to be responsible for the maintenance of the records under such procedure as the chief of bureau may prescribe. Property records will be supported by receipts of the employees to whom accountable property has been issued. (See also Regulations 4211 and 4212.) *

1.* Non-expendable Property Accountability Records. The records shall be maintained to reflect the following data:

- a. Description of articles.
- b. Unit or group cost (where group cost is maintained, property disposed of shall be written off using average cost per unit).
- c. Location of property or name of the person to whom assigned.

The records of such data shall be arranged to show:

- a. Inventory at beginning of period.
- b. Receipts of property during period.
- c. Disposition of property during period.
- d. Inventory at end of period.*

2.* Expendable Property Records. These records shall consist of acquisition and disposition memoranda or other records showing the number or quantity, description, and cost of articles, receipting officer and use for which intended. These memoranda may be filed without transcript of their contents to any property record.*

3.* Inventories. Annual physical inventories of non-expendable property and the stores account portion of expendable property will be made by each bureau, including field stations. These inventories shall be taken at least once during a twelve-month period. (See also Regulation 4215.)*

4.* Audit and Inventory Reports. The type and frequency of bureau or field station audit necessary to check inventories, and to determine if accountability, proper use, and adequate protection of Government property have been made, will be determined in accordance with procedures prescribed by the chief of bureau. The audit program should provide for property audits to be made at such intervals to insure that reasonable care, protection, and accountability are maintained. Audit reports and annual inventory reports will be submitted to the chief of bureau or officer(s) designated by him for review.*

4312. Field Records. * (Cancelled. See Regulation 4311.) *

4313. Invoices and Receipts. All transfers of property, expendable or non-expendable, except from one station or office to another, shall be evidenced by invoices and receipts. Property which has been invoiced shall not be receipted for until the full amount is actually received and the invoice certified or corrected. Each invoice shall be carefully compared with the property received, and if found correct the receipt will be completed, compared with the invoice, and promptly returned.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Property Records and Reports

4314. Filing of Invoices and Receipts. Invoices shall be filed currently by the consignee and receipts by consignors, with their retained property returns as authority for taking up or dropping property from the records.

4315. Schedule of Property Transferred. When property is transferred from one station or office to another, transfer papers shall be made out by the transferring station or officer and mailed to the receiving station or office. In all cases three copies shall be prepared but additional copies may be required by the chief of bureau. If upon delivery the property is found to agree with the schedule, the receiving office shall execute the receipt, return one copy to the sender, forward one copy to the chief of the bureau, and retain one copy in its files. The remaining copies, if any, shall be disposed of in accordance with instructions of the chief of bureau.

4316.* Camera and Microscope Parts. Detachable camera lenses and shutters and microscope oculars and objectives shall be described on the property records by serial number, power of magnification, speed, aperture, or other pertinent identification. Separate records may be maintained for such items, or they may be described on the same record as the rest of the camera or microscope, as may be the policy of the bureau.*

4317.* Precious Metals. All gold, platinum, or other precious metals, and articles made thereof, shall be specially safeguarded and shall be accounted for by weight, size, or identification mark. Every transfer of such metals from one employee to another shall be evidenced by a receipt. Any loss, damage, consumption in use, or other disposition of such metals shall be recorded.*

DISPOSAL OF PROPERTY BY EXCHANGE

4411. Authorization for Exchange.— Detailed information is given in Paragraphs 4121-4127 covering the disposal of property by exchange. Property may be disposed of by exchange only when specifically authorized by law. (See also Paragraph 3176.)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Sale of Property

4421. Boards of Survey

1. Departmental Board of Survey

The Director of Finance shall appoint a Departmental Board of Survey composed of three members, one of whom shall be designated as chairman, whose terms shall run one, two, and three years, respectively, but thereafter the terms of any appointee shall run for three years. The duties and responsibilities of the Board shall be to inspect all surplus serviceable and unserviceable property (except for real property and for commodity stocks and capital fund items acquired in carrying out commodity programs) in the District of Columbia and determine and record in writing the disposition thereof under applicable laws and regulations, and in accordance with instructions issued by the Director of Finance.

2. Field Boards of Survey

Chiefs of bureaus, or officers designated by them in writing, shall appoint boards of survey at field stations as may be required, each board to be composed of three members, if practicable, but less, if necessary, whose terms shall be as designated in writing by the appointing officer. The duties and responsibilities of such boards shall be to condemn unserviceable property (except for real property and for commodity stocks and capital fund items acquired in carrying out commodity programs), to destroy or have destroyed in the presence of a member of the board such property determined to have no practical sale value, or to refer to the proper administrative officer for sale such property determined to have sale value, and to record in writing any such actions. Property determined by the board to be still serviceable shall be referred to the proper administrative officer for consideration of its further use or disposition as surplus. Other duties relating to the disposition of property (except for real property and for commodity stocks and capital fund items acquired in carrying out commodity programs) may be assigned through channels to field boards of survey by the Director of Finance, subject to applicable laws and regulations.

4422. * Advertisement for Competitive Bids Required. Sales of departmental personal property, including exchange items when sold for cash, may be made only at the best price obtainable after advertising a sufficient time previously for proposals, when the reasonable value of all items at any one sale at any one time exceeds \$100. Exceptions to this rule are permitted only (1) when otherwise authorized by law, excluding the authority contained in the Surplus Property Act for the sale of property without advertising, (2) when the public exigency requires that sale be made immediately, or (3) when it is clearly evident that there is only one sales outlet and the sales or contracting officer so certifies. (Section 3709, Revised Statutes, as amended, 60 Stat. 806.) (See also Regulations 4121 and 4423.)

Although advertisement is not required when the value involved in any one case is \$100 or less, reasonable inquiry should be made of all possible competitors, in order that sale may be made at the best price obtainable. Formal advertising should be resorted to in such cases when it is deemed in the best interest of the Government. *

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Sale of Property

* 4423. Surplus Perishable Products. The ownership of products which may result from cooperative activities shall be specified in the agreement under which the activities are to be undertaken.

a. Owned by the Department. Sales of surplus perishable products owned by the Department resulting from experimental or other activities carried on by the Department, or by the Department and a cooperating agency, shall be made in accordance with the provisions of Regulation 4422.

(1) Sales to Employees. Surplus perishable products may be sold to employees of the Department (a) when they are sold under competitive bids as required by Regulation 4422, or (b) when sold at the best price obtainable in quantities not exceeding the needs of their immediate households. Responsible administrative officials must guard against preference being accorded any employee or group of employees over other prospective purchasers.

(2) Records. Detailed records of products disposed of and of sales receipts shall be maintained.

(3) Unsalable Products. Perishable products that are unsalable may be destroyed or abandoned. (See also Regulation 4421.)

b. Owned by Cooperating Agency. When products owned by a cooperating agency are disposed of by or under the supervision of a Department employee, the provisions of paragraphs (1) and (2) above shall apply, in addition to any procedure that may be required by the cooperative agreement or the cooperating agency. (5 U.S.C. 563) *

Approved 6-11-47 (Amendment 246)

Sale of Property

Destruction. Surplus perishable products owned by the Federal Government which cannot be sold shall be destroyed. The destruction of such products shall be witnessed by the officer in charge of the station or his representative and a record made of it. (175) (See also Regulation 3119)

4424. Official Cotton Standards. Practical forms of the official cotton standards of the United States may be furnished to any person, subject to the conditions of, and upon compliance with, the rules and regulations of the Secretary of Agriculture under the United States Cotton Futures Act and the United States Cotton Standards Act. Moneys received from the sale of such forms and from the sale of cotton purchased for their preparation but condemned as unsuitable for that purpose may be expended for the purchase of other cotton for such use. (326)

4425. Maps and Publications of Weather Bureau: Reproductions of Aerial or Other Photographs, Mosaics, and Maps. Surplus maps or Publications of the Weather Bureau may be sold, and the money received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts. (679)

The act of February 16, 1938, 52 Stat. 31, provides that the Secretary may furnish reproductions of such aerial or other photographs, mosaics, and maps as have been obtained in connection with the authorized work of the Department to farmers and governmental agencies at the estimated cost of furnishing such reproductions, and to persons other than farmers at such prices (not less than estimated cost of furnishing such reproductions) as the Secretary may determine, the money received from such sales to be deposited in the Treasury to the credit of the appropriation charged with the cost of making such reproductions. The act further provides that this provision shall not affect the power of the Secretary to make other disposition of such or similar materials under any other provisions of existing law.

Responsible officers and employees should familiarize themselves with Memorandum No. 755 of the Secretary, dated May 11, 1938, concerning the sale of reproductions of aerial or other photographs, mosaics and maps, and other memoranda that may issue from time to time. (See also Regulations 1216 and 4427).

4426. Pathological and Zoological Specimens. Such pathological and zoological specimens as may be deemed to be of scientific or educational value to scientists or others engaged in

DEPARTMENT OF AGRICULTURE
WASHINGTON

February 15, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 86

There appears on the reverse side of this sheet, and addition to Regulation 4425, entitled "Maps and Publications of Weather Bureau." This addition is made for the purpose of including therein the provisions of the act of February 16, 1938, 52 Stat. 31, which authorize the furnishing of reproductions of aerial or other photographs, mosaics, and maps as have been obtained in connection with the authorized work of the Department to farmers, governmental agencies, and to other persons at not to exceed the estimated cost of furnishing same.

The provisions of the addition to the Regulations of the Department are promulgated effective immediately.

The following changes and/or additions should be made in the Table of Contents and in the Index:

Table of Contents:

Change "4425. Maps and Publications of Weather Bureau"
To "4425. Maps and Publications of Weather Bureau;
Reproductions of Aerial or Other Photographs, Mosaics, and Maps"

Index:

Add: "Mosaics, sale of - - - - - 4425"
"Photographs, aerial, sale of - - - - - 4425"

Secretary.

January 6, 1940.

AMENDMENT TO THE REGULATIONS

Amendment No. 95

Regulation 4423 entitled "Card Index" has been eliminated from the Regulations. This Regulation provided for sale of card Indexes of Agriculture and Experiment Stations Literature; it is eliminated because these Indexes are no longer available for sale.

This revised sheet omitting Regulation 4423 should be substituted for the present corresponding page, and the following changes should be made in the Table of Contents and in the Index:

Table of Contents:

Cancel:

"4423. Card Index"

Index:

Cancel:

"Card Index, sale of - - - - - 4423"
"Sale, property - - - - - 4423"
"Property, sale of - - - - - 4423"

W. L. Wilson
Acting Secretary.

Sale of Property

the work of hygiene and sanitation may be sold at cost to applicants, and the moneys derived from such sale shall be deposited in the Treasury as Miscellaneous Receipts. (512)

4427. Prints, Films, Etc.- Prints, films, lantern slides, transparencies, blue prints and forest maps may, upon application, be furnished from negatives in the possession of the Department, at a price to cover the cost plus 10 per cent additional, and the money derived from such sales shall be deposited in the Treasury as Miscellaneous Receipts. (170, 171)

4428. Samples, Etc.- Samples of pure sugar, naval stores, microscopical specimens, and other products may be furnished, upon application, to State and municipal officers, educational institutions, and other parties, and charged for at a price to cover the cost thereof, such price to be determined and established by the Secretary, and the money received from such sale shall be deposited in the Treasury as Miscellaneous Receipts. (173)

4429. Sale or Exchange of Animals.-Chiefs of bureaus are authorized to sell in the open market or to exchange for other livestock such animals as cease to be needed in the work of the bureau, but only after a board of survey has appraised such animals and such sales are not below the appraisal value. When in the discretion of the chief of bureau, no benefit would be derived from such condemnation and appraisal and advertising for competitive bids, such condemnation, appraisal and advertising are not required. (167, 511)

1880-1881

Jan 1st - 1880

Feb 1st - 1880

Mar 1st - 1880

Apr 1st - 1880

May 1st - 1880

Jun 1st - 1880

Jul 1st - 1880

Aug 1st - 1880

Sep 1st - 1880

Oct 1st - 1880

Nov 1st - 1880

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

ABANDONMENT, CONDEMNATION, OR LOSS OF PROPERTY

4431. Sale or Abandonment of Property ***

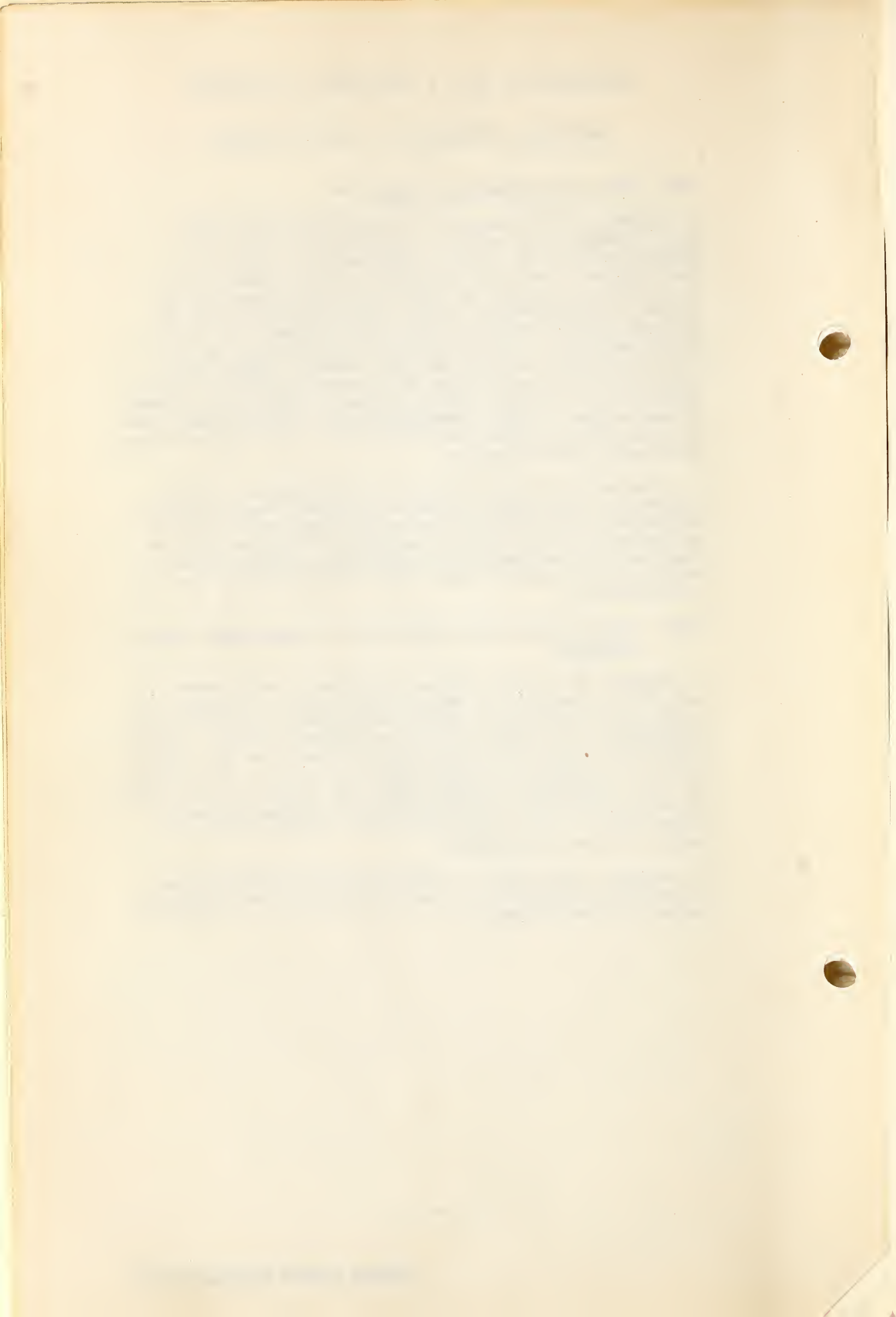
1. Property in the possession of field parties may be sold after condemnation by the chief of party, if the cost of transporting it to the nearest field station or office which could utilize it would be greater than the price received for it. If it cannot be sold and the value of it at the nearest field station or office where it could be utilized would be less than the cost of transporting it to such field station or office, it may be abandoned. A certificate must be furnished by the chief of the field party in every such case, however, showing date, location of party when property was abandoned, location of nearest field station or office, approximate cost of transporting property to such station or office, estimated value of property, and statement that sale could not be made at any price * at the point where the property was abandoned. *

2. * Removable fixtures placed by the Department in a private building which has been rented shall be removed when the building is vacated unless the cost of removal would be greater than the salvage value of the fixtures. Removable fixtures shall not be abandoned when such abandonment might subject the Government to damage claims. Property records shall be adjusted when fixtures are abandoned. *

4432. Property Lost, Stolen, Destroyed, or Damaged Beyond Repair or Salvage

1. Whenever any property, either expendable or non-expendable is lost, stolen, destroyed, or damaged beyond repair or salvage, the employee who has custody of the property at the time will forward immediately to the chief of bureau or designated officer, through the employee against whom the property is charged on the property records, a certificate on honor showing (1) a list of the articles, (2) the circumstances attending their loss, damage, or destruction, (3) whether his fault or neglect or that of any employee was involved, and (4) if the property was lost or stolen, the action taken to recover the property.

2. Whenever in the opinion of the chief of bureau disciplinary action by the Secretary is warranted, appropriate recommendations to that end should be made.



ABANDONMENT, CONDEMNATION OR LOSS OF PROPERTY

4431. Sale or Abandonment of Property by Field Party.— Property in the possession of field parties may be sold after condemnation by the chief of party, if the cost of transporting it to the nearest field station or office which could utilize it would be greater than the price received for it. If it cannot be sold and the value of it at the nearest field station or office where it could be utilized would be less than the cost of transporting it to such field station or office, it may be abandoned. A certificate must be furnished by the chief of the field party in every such case, however, showing date, location of party when property was abandoned, location of nearest field station or office, approximate cost of transporting property to such station or office, estimated value of property, and statement that sale could not be made at any price.

4432. Property Lost, Stolen, Destroyed, or Damaged Beyond Repair or Salvage.— Whenever any property, either expendable or non-expendable is lost, stolen, destroyed, or damaged beyond repair or salvage, the employee who has custody of the property at the time will forward immediately to the chief of bureau or designated officer, through the employee against whom the property is charged on the property records, a certificate on honor showing (1) a list of the articles, (2) the circumstances attending their loss, damage, or destruction, (3) whether his fault or neglect or that of any employee was involved, and (4) if the property was lost or stolen, the action taken to recover the property.

Whenever in the opinion of the chief of bureau disciplinary action by the Secretary is warranted, appropriate recommendations to that end should be made.

THE HISTORY OF THE UNITED STATES OF AMERICA

BY JAMES M. SMITH

IN TWO VOLUMES

VOLUME I

THE FOUNDING OF THE NATION

FROM 1776 TO 1789

THE REVOLUTIONARY PERIOD

THE CONSTITUTIONAL PERIOD

THE JEFFERSONIAN PERIOD

THE MONROE PERIOD

THE ADAMS PERIOD

THE JACKSON PERIOD

THE VAN BUREN PERIOD

THE HARRISON PERIOD

THE TYLER PERIOD

THE POLK PERIOD

THE FILLMORE PERIOD

THE BUCHANAN PERIOD

THE LINCOLN PERIOD

THE JOHNSON PERIOD

THE GRANT PERIOD

THE GARFIELD PERIOD

THE HAYES PERIOD

Abandonment, Condemnation or Loss of Property

4433. Disposition of Property Ordered Destroyed.- All articles ordered destroyed by a board of survey shall be separated into two classes, viz, articles that can and articles that can not be destroyed by burning. Property of the former class shall be immediately burned in the presence of a member of the board of survey; property of the latter class shall be immediately broken up, carried off to a public dumping place, and there deposited. In either case a certificate shall be filed showing that proper destruction has been effected. (1652, 1653, 1654, 1655)

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

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REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

SUPPLEMENT TO INDEX

This supplement contains index entries covering all changes in the Regulations which have occurred since the Index dated July 1, 1943, was issued. Entries which are no longer applicable are shown at the end under the heading "Entries Canceled."

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